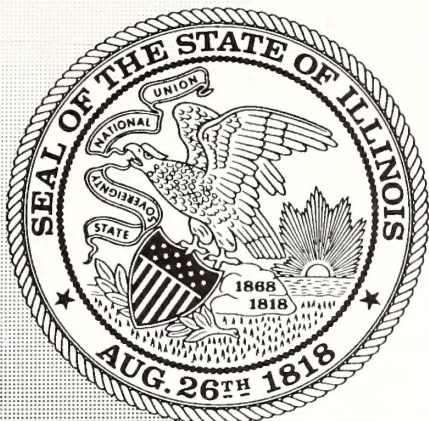


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Volume 18, Issue 32— Aug. 12, 1994

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Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PROPOSED AMENDMENT(S)

1) Heading of the Part: Uniform Disposition of Unclaimed Property Act2) Code Citation: 38 Ill. Adm. Code 1803) Section Number: Proposed Action:

180.10	Amendment
180.15	New Section
180.20	Amendment
180.21	New Section
180.25	New Section
180.35	New Section
180.35	Amendment
180.60	Repealed
180.80	New Section
180.89	Amendment
180.90	New Section
180.95	New Section
180.115	New Section

4) Statutory Authority: Implementing and authorized by the Uniform Disposition of Unclaimed Property Act (765 ILCS 1025)5) Complete Description of the Subjects and Issues Involved:

The proposed amendments are designed to bring the current rules in conformity with legislative changes brought about by P. A. 88 - 435 and to clarify language and sections within those changes.

180.10. This amendment adds definitions for the terms "additional like period", "delivery date", "deposit", "last activity date" and "net worth" used in the Act as amended. It modifies the definition of a "A Matured Time Deposit" to remove any conflict with the definition of "additional like period".

180.15. This proposed section clarifies that clerical and ministerial acts are insufficient activity to keep property from being presumed to be abandoned.

180.20. This amendment allows the exception from mandatory reporting created by proposed section 180.21.

180.21. This proposed section creates reporting exceptions as authorized under the Act. For the first time, business associations and governmental entities reporting cycles will be modified to eliminate unnecessary paperwork. In addition, this section provides guidance to preclude fraudulent reporting and failure to report under Section 10.5 of the Act. Finally, the section clarifies that disclosure of reportable property by a holder is a continuing obligation.

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PROPOSED AMENDMENT(S)

180.25. This proposed section provides a uniform mechanism for holder's to request and receive an extension of time to file a report or remit property to the Department.

180.35. This proposed section sets forth minimum requirements for due diligence mailings and provides an exception where the cost of a due diligence mailing exceeds the value of most types of abandoned property.

180.60. This amendment clarifies that specific statutory authority is required before a holder is authorized to exact service charges on intangible personal property prior to its remittance to the Department.

180.80. This section is to be repealed because it is in conflict with the Act.

180.89. This proposed section sets out criteria to aid in the assessment of fees for later report filing with and late remittance of property to the Department. It also provides that, for reasonable cause, the Director may waive all or a portion of the charges.

180.90. This amendment adds two additional reasons to believe justifying the Department to conduct a full examination of a holder and all of its records to determine the existence of abandoned property.

180.95. This proposed section clarifies procedures applicable to the examination gap period that occurred between the provisions of the latest legislative amendment and its effective date.

180.115. This proposed section establishes the hearing rules applicable to other than property claim hearings.

6) Will this Proposed Rule Replace an Emergency Rule Currently in Effect? No

7) Does this Rulemaking Contain an Automatic Repeal Date? No

8) Does this Rulemaking Contain Incorporations by Reference? No

9) Are there Any Other amendments Pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandate Act (Ill. Rev. Stat., 1991, ch. 85, par. 2203).

11) Time, Place and Manner in Which Interested Persons May Comment on this Rulemaking: The Department will accept only comments submitted on a Response Form provided by the Department. Comments must be received within forty-five days of the date of this publication.

M. Rose Kelly

Chief Legal Counsel

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PROPOSED AMENDMENT(S)

Department of Financial Institutions
100 W. Randolph, 15-700
Chicago, Illinois 60601
(312) 814-5154

12) Initial Regulatory Flexibility Analysis:

- A) Date Rule was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:
3) Types of Small Business Affected:

The full text of the proposed rules begins on the next page:

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER I: DEPARTMENT OF FINANCIAL INSTITUTIONS

PART 180

UNIFORM DISPOSITION OF UNCLAIMED PROPERTY ACT

Section	
180.10	Definitions
180.15	Presumption of Abandonment
180.20	Negative Reports
180.21	Reporting
180.22	Format/Form of Reports
180.24	Incomplete/Inaccurate Report or Remittance
180.25	Filing Extensions
180.30	Safe Deposit Boxes
180.35	Due Diligence
180.40	Cost of Mailing
180.50	Nominee and Street Name Property
180.60	Lawful Charges
180.70	Discontinuance of Interest or Dividends
180.80	Statute of Limitations (Repealed)
180.85	Situs
180.89	Fees
180.90	Examination of Property Holders
180.92	Remittance of Securities and Commodities
180.94	Receipt and Sale of Securities and Commodities
180.95	Examination Gap
180.100	Claims
180.110	Hearings on Claims
180.115	Non-Claim Hearings

AUTHORITY: Implementing and authorized by the Uniform Disposition of Unclaimed Property Act [765 ILCS 1025].

SOURCE: Filed November 20, 1977; emergency amendment at 3 Ill. Reg. 39, p. 225, effective September 14, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 48, p. 153, effective November 20, 1979; rules repealed, new rules adopted and codified at 8 Ill. Reg. 1464, effective January 18, 1984; amended at 15 Ill. Reg. 8555, effective May 24, 1991; amended at 17 Ill. Reg. 123, effective December 21, 1992; emergency amendment at 17 Ill. Reg. 6321, effective April 6, 1993; amended at 17 Ill. Reg. 9893, effective June 21, 1993; amended at 18 Ill. Reg. _____, effective _____.

Section 180.10 Definitions

"Act" means the Uniform Disposition of Unclaimed Property Act (44 Rev. Stat. 1997, ch. 141, par. 102, et seq.) [765 ILCS 1025] and the rules in this Part.

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"Active Express Trust" - excludes any trust: the purpose for which it was created no longer exists and no court having jurisdiction shall have entered an order in connection therewith; or of which no beneficiary can be located to whom income or increment from such trust is payable or distributable. Intangible personal property held for the benefit of a person, firm or entity not designated as beneficiary pursuant to the terms of said trust shall not be deemed to be held in a fiduciary capacity by said trustee.

"Activity" - occurs when the owner takes any action described in Section 2 of the Act which prevents a presumption of abandonment.

Activity in any account on a consolidated statement shall constitute activity for any other account on that statement.

Non return of mail shall constitute activity only if the holder sends a notice to the owner, return receipt requested, and has on file the signed return receipt.

"Additional like period" as used in Section 2(e) of the Act means, where the right to extend is exercised by the organization, one extension or rollover with the date of the expiration of the extension or rollover period becoming the final maturity date for the deposit.

"A Matured Time Deposit" - , except as provided for in Section 2(e) of the Act, is any time deposit, certificate of deposit, money market certificate or like instrument on which the initial term has expired ~~notwithstanding any automatic extension or renewal.~~

"Commodities" - means a basic item or staple product underlying commodity future contracts, or traded as physical units of delivery for immediate delivery in the cash or spot market.

"Delivery Date" as used in Section 2 of the Act includes all accounts of an individual owner which are reported by the banking or financial institution to the owner on a consolidated statement.

"Deposit" as used in Section 2 of the Act includes all accounts of an individual owner which are reported by the banking or financial institution to the owner on a consolidated statement.

Last Activity Date" means, for other than property reported in the aggregate under Section 11 (b) (1) of the Act, the last verifiable date of owner contact with the property being remitted to the Department. In the alternative, where the holder's records are insufficient, it is the earliest date in the holder's records for which property can be identified minus 12 months.

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"Net Worth" means the difference between total assets and total liabilities.

"Property" - means any property, tangible or intangible, reportable to the Director of the Department pursuant to the Act. Property which would be reportable prior to deduction of service charges is deemed reportable under this definition.

"Safe Deposit Box" - includes any safe, vault, safekeeping repository, agency, or collateral deposit box.

"Security" - means any note, stock, treasury stock, bond, debenture, evidence of indebtedness, certificate of interest or participation in any profit-sharing agreement, collateral-trust certificate, preorganization certificate or subscription, transferable share, investment contract, investment fund share, face-amount certificate, voting-trust certificate, certificate of deposit for a security, fractional undivided interest in oil, gas or other mineral lease, right or royalty, any put, call, straddle, option, or privilege entered into on a national securities exchange relating to foreign currency, or, in general, any interest or instrument commonly known as a "security", or any certificate of interest or participation in, temporary or interim certificate for, receipt for, guarantee of, or warrant or right to subscribe to or purchase, any of the foregoing.

"Service Charges" - constitute any charge deducted by a holder from property subject to the Act, which is imposed solely by virtue of the inactivity of that property; this includes service charges, handling charges, and administrative costs.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 180.15 Presumption of Abandonment

Actions which do not prevent the presumption of abandonment, include, but are not limited to, automated clearing house transfers, automatic postings to accounts, computer system conversion dates, non-return of mail, those which are non-owner initiated and those not requiring a direct owner response.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 180.20 Negative Reports

Holders, except as provided in Section 180.21, having no property to report shall so report to the Director on such forms provided by the Director at the reporting time designated in Section 11(d) of the Act.

DEPARTMENT OF FINANCIAL INSTITUTIONS

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(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 180.21 Reporting

- a) Business associations who have no reportable property, annual sales of less than \$500,000 and
- 1) whose securities are not publicly traded, whose net worth is less than \$1,000,000 and employs 49 persons or less are not required to file annual reports under Section 11 of the Act.
 - 2) whose securities are not publicly traded, whose net worth is less than \$1,000,000 and employs 50 people or more but less than 100 persons are required to file reports in even numbered years on the reporting date specified in Section 11 of the Act.
 - 3) Notwithstanding the provisions of subsections (1) and (2) a business association must file a report with the Department for all reportable property.
- b) Within counties having a total population under 100,000 their County and Municipal Governments and Special Taxing Districts are only required to file a report with the Department for reportable property.
- c) In applying Section 10.5(d) of the Act, fraudulent reporting includes, but is not limited to a determination by a court or administrative hearing that a holder has fraudulently reported or fraudulently failed to remit presumptively abandoned property.
- d) In applying Section 10.5(d) of the Act, failure to report, includes, but is not limited to:
- 1) a determination by a court or administrative hearing that a holder has failed to report or failed to remit presumptively abandoned property, or
 - 2) the non-reporting, underreporting or failure to remit property, by a holder, or
 - 3) the failure of a holder to maintain records required under the Act.
- e) A report, required to be filed under the Act, is deemed received and filed when it has been delivered complete, accurate and in correct form to the Department's Unclaimed Property Division office in Springfield, Illinois and includes any required remittance.
- f) Any report which is submitted:
- 1) after the required filing date,
 - 2) in other than a form authorized in Section 180.22,
 - 3) unsigned or undated,
 - 4) incomplete, as defined in Section 180.24,
 - 5) inaccurate, as defined in Section 180.24,
 - 6) without the required remittance, or
 - 7) does not meet any other requirement under the Act, is not deemed timely received and filed under the Act.
- g) Reportable property that is not timely reported and remitted by a holder on the first reporting date specified in Section 11 of the Act after the property's initial date of presumptive abandonment, must be

DEPARTMENT OF FINANCIAL INSTITUTIONS

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reported upon discovery of the omission. The holder in the report must identify this property as being reported late and the reason.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 180.25 Filing Extensions

- a) A request for extension of time to report or remit from a holder, including a request for an extension of time to report or remit on a part of a report or remittance, must be received by the Department a minimum of 15 business days prior to the date specified in Section 11 of the Act for the filing of a report.
- b) A request by a holder for an extension of time to report or remit must include a reasonable cause for delaying the report or remittance. Reasonable cause, includes but is not limited to, natural disaster, criminal activity related to the holder's books and records, recent changes in the form of ownership of the holder through merger, acquisition or reorganization and for a holder having three or fewer employees and a recent change in management. Reasonable cause does not include a failure of a holder to perform a requirement such as due diligence pursuant to Section 11(e) of the Act.
- c) The Director will, where possible, respond to each request for extension within 10 business days of receipt.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 180.35 Due Diligence

- a) Letters mailed to owners as required by Section 11 (e) of the Act shall include as a minimum:
 - 1) the name, address, position and telephone number of the person to contact of the holder;
 - 2) the steps required by the owner to have the holder remit the property to the owner;
 - 3) the steps required by the owner to have the holder continue to maintain the property for the owner;
 - 4) a statement that if the owner's property is remitted to the State, the owner or heirs may file a claim for the property with the State; and
 - 5) a statement that the State is a perpetual custodian for presumptively abandoned property remitted to the State.
 - 6) a date, not less than 15 business days prior to the date the holder will remit the property to the Department, by which the owner must contact the holder.
- b) A holder is not required to make a due diligence mailing to owners whose property, prior to deducting allowable service charges, has an aggregate value of less than \$10, and is not included in the

DEPARTMENT OF FINANCIAL INSTITUTIONS

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categories of securities, commodities safe deposit boxes, and tangible property.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 180.60 Lawful Charges

- a) There must be a valid, enforceable, written contract between the holder and the customer to permit the lawful withholding of charges described in Sections 2, 2a, 4 and 9 of the Act. No holder may seek to implement the terms of any contract against the State if they do not against the customers who claim their assets prior to remittance.
- b) The holder shall provide the following information as part of any remittance report filed pursuant to Section 13 of the Act from which service charges have been deducted:
- 1) the citation of the Act or a copy of the form of contract authorizing such service charges;
 - 2) the value or amount of each item or property, prior to deduction of service charges as well as the total amount of service charges deducted from each item. ~~The holder shall maintain a record--for three--years--of--the date or dates on which such service charges were deducted;~~
 - 3) such other information or documentation as the Director may reasonably require to substantiate the deduction of service charges. This may include correspondence, passbook provisions, signature card, regulations, by-laws, or any other documentation concerning any agreement between the holder and the customer.
- c) Intangible personal property, including, but not limited to, official checks, certificates, coupons, credit memos and tokens which are issued for the redemption of unspecified merchandise, unless specifically authorized by the Act, are not subject to service charges.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 180.80 Statute of Limitations (Repealed)

~~Holders--need--not--report--property--if--prior--to--the--effective--date--of--this--Act--the--time--expired--during--which--action--may--be--commenced--to--recover--that--property--~~

(Source: Repealed at 18 Ill. Reg. _____, effective _____)

Section 180.89 Fees

- a) The fee for the past due property or the failure to remit property, other than the contents of safe deposit boxes, shall be calculated

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PROPOSED AMENDMENT(S)

using the formula; rate times delinquency period times value equals the fee.

- 1) The rate is defined in Section 25.5(c) of the Act.
 - 2) The delinquency period is the period of time elapsed between the reporting due date under Section 11(d) of the Act and the delivery date.
 - 3) The value is cash value. For securities and commodities the value is the cash value on, the earlier of, the date of delivery of the security or commodity to the Department or the date of receipt of the actual deposit confirmation by the Department.
- b) In charging a fee for a failure to timely perform due diligence in accordance with the provisions of Section 11(e) of the Act, the following conditions must be met:
- 1) due diligence was required to be conducted.
 - 2) within 24 months after the filing the report, at least 35% of the claims are paid or authorized for payment to owners whose addresses were as reported to the Department by the holder or whose mail forwarding from the reported address had not expired as of the date the report was filed.
- c) The Director may, for reasonable cause, waive all or a portion of any administrative charges, fees and interest charges. Reasonable cause shall, include, but not be limited to, inadvertent error, pending legal proceeding involving otherwise reportable property, and unresolved bankruptcy.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 180.90 Examination of Property Holders

- a) The Director shall notify the holder, in writing, ten days prior to an examination conducted pursuant to Section 23 of the Act. The Director may waive the ten-day notice prior to performing an unclaimed property examination if, as a result of past experience or an examiner consultation, the Director determines that the existence of the records may be placed in jeopardy by use of the notice provision.
- b) If unreported property is discovered, the Director shall order the holder to report and remit the property pursuant to the Act and the Rules.
- c) Pursuant to Section 23 of the Act, the Director shall have reason to believe that a holder has failed to report property in accordance with the Act and may examine the records of the holder, anytime one of the following conditions exist:
- 1) A holder has submitted reports to the Department in two successive calendar years in which the holder's reports state it has no unclaimed property.
 - 2) A holder has not submitted a report to the Department for two successive calendar years.
 - 3) A personal interview by Departmental staff with the appropriate

DEPARTMENT OF FINANCIAL INSTITUTIONS

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representative of the holder reveals any of the following:

- A) The holder adjusts its asset statements by writing-off property such as check or credit balances that could be deemed unclaimed property under the Act; or
 - B) The holder does not follow generally-accepted accounting principles (Accounting Standards of the Financial Accounting Standards Board of the American Institute of Certified Public Accountants (1990), no subsequent dates or editions), or the Act with regard to unidentified remittances or the establishment of unclaimed property liability accounts; or
 - C) The holder does not follow generally-accepted accounting principles (Accounting Standards of the Financial Accounting Standards Board of the American Institute of Certified Public Accountants (1990), no subsequent dates or editions), or the Act with regard to the disposition of unidentified credits; or
 - D) The holder does not retain records for five (5) years beyond the period of abandonment to determine the disposition of property which could be deemed abandoned under the Act; or
 - E) The holder's records preclude the Department from determining the disposition of property which could be deemed abandoned under the Act.
- 4) The Department is notified by another governmental agency in writing or verbally with written confirmation that a holder is not in compliance with the Act.
 - 5) The total unclaimed property remitted by a holder is below the average remittance for other holders in the same industry and that have assets of similar size to the holder.
 - 6) A holder does not report all types of unclaimed assets they may be holding as indicated by but not limited to:
 - A) A previous examination of the holder; or
 - B) A comparison with the asset types reported by other holders in the same industry and that have assets of similar size to the holder.
 - 7) A holder is discovered as a subsidiary or affiliate of another holder which has been or is being examined.
 - 8) A holder is discovered as a principal or holding company of another holder which has been or is being examined.
 - 9) An unclaimed property examination of the records of the holder has not been performed for 5 or more calendar years. ~~in-the event-an-examination-discloses-no-undisclosed-unclaimed-property-no-examination-fee-shall-be-assessed-to-the-party-examined~~
 - 10) Changes in a holder's business practices, including, but not limited to, changes in financial status, technological advances, corporate structure, change in ownership, etc.
 - 11) The Department has issued a written notice of deficiency to a holder.
 - 12) The Department issued a fee assessment to a holder.
- d) Notwithstanding the enumerated conditions listed in subsections

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(c)(1)-(c)(12) above, the Director may conduct an examination of a holder based on facts within the knowledge of or imparted to the Director by others.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 180.95 Examination Gap

- a) For examinations of business associations commenced, completed and with the unclaimed property remitted to the Department, on or after May 1, 1993 but prior to August 20, 1993 the limitation provision applicable to intangible personal property contained in Section 9 of the Act shall apply.
- b) For examinations of other than business associations commenced, completed and with the unclaimed property remitted to the Department, on or after May 1, 1993 but prior to August 20, 1993 the limitation period applicable to presumptively abandoned property contained in Section 27 of the Act shall apply.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 180.115 Non-Claim Hearings

Administrative hearings, except those regarding claims under Section 20 of the Act, will be conducted in accordance with the procedures contained in 38 Ill. Adm. Code 200, Subpart D.

(Source: Added at 18 Ill. Reg. _____, effective _____)

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1) Heading of the Part: MOBILE SOURCES2) Code Citation: 35 Ill. Adm. Code 2403) Section Numbers: Proposed Action:

240.172 New Section

240.173 New Section

4) Statutory Authority: 415 ILCS 5/27 and 28.4 and 625 ILCS 5/13B-20 (P.A. 88-533, effective January 18, 1994).5) A Complete Description of the Subjects and Issues Involved:

A more detailed description is contained in the Board's proposed opinion and order of July 21, 1994, in R94-20, which opinion and order is available from the address below. Section 28.4 of the Environmental Protection Act [415 ILCS 5/28.4] provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by JCAR.

Section 182(b) and (c) of the Clean Air Act (CAA), as amended in 1990, requires the use of "inspection and maintenance" (I/M) programs in areas not meeting the national ambient air quality standards (NAAQS) for ozone and/or carbon monoxide. In Illinois, the Chicago and Metro-East St. Louis (Metro-East) areas are classified as "severe" and "moderate" nonattainment for ozone, respectively, and as such are subject to the I/M requirement. The General Assembly recently enacted the Vehicle Emissions Inspection Law of 1995 [625 ILCS 5/13B] (P.A. 88-533, effective January 18, 1994). That statute requires the Agency to implement an enhanced I/M program and meet the United States Environmental Protection Agency's (U.S. EPA's) requirements for such a program. P.A. 88-533 mandates enhanced I/M testing for the Metro-East area and certain portions of the Chicago nonattainment area. Those aspects of the federal I/M requirements that are embodied in federal regulations are involved in this docket. The proposed rules contain codified U.S. EPA emissions standards concerning evaporative system pressure and purge testing for the enhanced I/M program under the enhanced vehicle inspection and maintenance (I/M) program in the Chicago and Metro-East St. Louis ozone nonattainment areas. This docket will proceed by the identical-in-substance rulemaking procedure of Section 28.4 of the Environmental Protection Act (Act) [415 ILCS 5/28.4].

Other federal I/M requirements that are embodied in regulations are the subject of companion rulemaking R94-20, which will proceed under the "fast-track" procedure of Section 28.5 of the Act. The Agency has proposed U.S. EPA emissions standards for the testing of certain vehicles under the enhanced vehicle I/M program in companion docket R94-19.

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The Board and the Illinois Environmental Protection Agency are required by the Vehicle Emissions Inspection Law of 1995 [625 ILCS 5/13B (P.A. 88-533, effective January 18, 1994)] to adopt all the measures listed in this docket, R94-19, and in companion docket, R94-20, for the establishment and implementation of the enhanced I/M program.

6) Will the proposed rules replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does the proposed amendments contain incorporations by reference? Yes

9) Are there any other proposed amendments pending on this Part? Yes.

Section Numbers:	Proposed Action:	Illinois Register Citation
240.101	Amended	18 Ill. Reg. _____, August 1994
240.102	Amended	18 Ill. Reg. _____, August 1994
240.104	Amended	18 Ill. Reg. _____, August 1994
240.105	Amended	18 Ill. Reg. _____, August 1994
240.106	Amended	18 Ill. Reg. _____, August 1994
240.107	Amended	18 Ill. Reg. _____, August 1994
240.124	Amended	18 Ill. Reg. _____, August 1994
240.125	Amended	18 Ill. Reg. _____, August 1994
240.151	New Section	18 Ill. Reg. _____, August 1994
240.152	New Section	18 Ill. Reg. _____, August 1994
240.153	New Section	18 Ill. Reg. _____, August 1994
240.161	New Section	18 Ill. Reg. _____, August 1994
240.164	New Section	18 Ill. Reg. _____, August 1994
240.171	New Section	18 Ill. Reg. _____, August 1994

10) Statement of Statewide Policy Objectives:

The existing rules and proposed amendments may affect units of local government that operate certain automobiles and trucks. The existing

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rules and proposed amendments require affected entities to periodically subject those vehicles to emissions testing. The proposed amendments would ultimately change the nature of the emissions tests performed on many vehicles. The proposed amendments implement the requirements of the Vehicle Emissions Inspection Law of 1995 [625 ILCS 5/13B (P.A. 88-533, effective January 18, 1994)]. These rules will enable Illinois to help meet federal statutory requirements for enhanced I/M testing as required by the federal Clean Air Act, as amended in 1990 ("CAA"). The proposed amendments may increase the burden of compliance on some units of local government to the extent that these entities are required to subject their vehicles to the new testing and to the extent that failure of those tests requires additional vehicle maintenance to pass a retest.

- 11) Time, Place, and Manner in which interested person may comment on this Proposed rulemaking:

Send written comments concerning R94-19 within 45 days of publication in the Illinois Register to:

Dorothy Gunn
Clerk of the Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

and

Christopher P. Demeroukas
Assistant Counsel
Illinois Environmental Protection Agency
Bureau of Air
P.O. Box 19276
Springfield, Illinois 62794-9276

Address substantive questions relating to the proposal to the hearing officer: Michael J. McCambridge, at 312-814-6924.

- 12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 25, 1994.

B) Types of small businesses affected:

The existing rules and proposed amendments affect small businesses that operate certain automobiles and trucks. The existing rules and proposed amendments require affected entities to periodically subject those vehicles to emissions testing. The proposed amendments would

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ultimately change the nature of the emissions tests performed on many vehicles.

- C) Reporting, bookkeeping or other procedures required for compliance:
The proposed amendments would impact some small businesses to the extent that these entities are required to subject their vehicles to the new testing and to the extent that a failure of those tests requires additional vehicle maintenance to pass a retest.
- D) Types of professional skills necessary for compliance:
The proposed amendments would require some small businesses to subject their vehicles to the new testing and, to the extent that a failure of those tests requires additional vehicle maintenance to pass the tests, they might require the services of personnel qualified to engage in that maintenance.

The full text of the proposed amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE B: AIR POLLUTION

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER k: EMISSION STANDARDS AND LIMITATIONS
FOR MOBILE SOURCES

PART 240

MOBILE SOURCES

SUBPART A: DEFINITIONS AND GENERAL PROVISIONS

Section

240.101 Preamble

240.102 Definitions

240.103 Prohibitions

240.104 Inspection

240.105 Penalties

240.106 Determination of Violation

240.107 Incorporations by Reference

SUBPART B: EMISSIONS

Section

240.121 Smoke Emissions

240.122 Diesel Engine Emission Standards for Locomotives

240.123 Liquid Petroleum Gas Fuel Systems

240.124 Vehicle Exhaust Emission Standards

240.125 Compliance Determination

SUBPART C: HEAVY-DUTY DIESEL SMOKE OPACITY STANDARDS AND TEST PROCEDURES

Section

240.140 Applicability

240.141 Heavy-Duty Diesel Vehicle Smoke Opacity Standards and Test Procedures

SUBPART F: EVAPORATIVE TEST STANDARDS

Section

240.172 Evaporative System Pressure Test Standards

240.173 Evaporative System Purge Test Standards

APPENDIX A

Rule into Section Table

APPENDIX B

Section into Rule Table

AUTHORITY: Implementing Sections 9, 10 and 13 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/9, 10, 13, 27, and 28.4] and the Vehicle Emissions Inspection Law of 1995 [625 ILCS 5/13B-20] (P.A. 88-533, effective January 18, 1994).

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SOURCE: Adopted as Chapter 2: Air Pollution, Part VII: Mobile Sources, filed and effective April 14, 1972; codified at 7 Ill. Reg. 13628; amended in R85-25, at 10 Ill. Reg. 11277, effective June 16, 1986; amended in R90-20 at 16 Ill. Reg. 6184, effective April 7, 1992; amended in R94-20 at 18 Ill. Reg. _____, effective _____.

SUBPART F: EVAPORATIVE TEST STANDARDS

Section 240.172 Evaporative System Pressure Test Standards

a) The vehicles shall be inspected utilizing an evaporative system pressure test adopted by the Agency.

b) The vehicle shall fail the evaporative system pressure test if one of the following occurs:

1) The system cannot maintain a system pressure above eight inches of water for up to two minutes after being pressurized to 14 plus or minus 0.5 inches of water;

2) No pressure drop is detected when the gas cap is loosened;

3) The fuel vapor storage canister is missing or obviously damaged;

4) System vapor lines or hoses are missing or obviously disconnected; or

5) The gas cap is missing.

(Source: Added at 18 Ill. Reg. _____, effective _____.)

Section 240.173 Evaporative System Purge Test Standards

a) The vehicle shall be inspected utilizing the evaporative system purge test adopted by the Agency.

b) The vehicle shall fail the evaporative system purge test if the canister purge system flow as measured during the course of the transient exhaust emission test is less than one liter.

(Source: Added at 18 Ill. Reg. _____, effective _____.)

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1) Heading of the Part: Illinois Certified Shorthand Reporters Act of 1984

2) Code Citation: 68 Ill. Adm. Code 1200

3) Section Numbers: Proposed Action:

1200.20 Amendment
1200.30 Amendment
1200.40 Amendment
1200.75 New Section

4) Statutory Authority: [225 ILCS 415/7, 9, 10 and 27].

5) A Complete Description of the Subjects and Issues Involved: This rulemaking implements Section 27 of the Illinois Certified Shorthand Reporters Act of 1984 which requires every registrant who applies for renewal of a certificate of registration as a certified shorthand reporter to complete 10 hours of continuing education (CE) every two years.

CE requirements begin with the May 31, 1997, renewal. New rules describe how to acquire CE credits, what constitutes acceptable CE sponsors and programs, and circumstances under which a person may apply for a waiver of CE requirements. Certified shorthand reporters employed as full-time court reporters under the Court Reporters Act shall be granted a waiver from CE requirements by submitting satisfactory evidence of such employment to the Department.

The Restoration Section is being amended to require CE before a certificate may be restored.

Another proposed change would cause the Department to no longer give the Preliminary Examination. Instead, before an applicant may sit for the Department-administered Written Knowledge Examination and Dictation Examination, he/she will be required to either submit an affidavit of ability, signed by an official of a shorthand reporter school, stating that the applicant has successfully completed a verbatim record of unfamiliar testimony dictated for 5 minutes at a minimum speed of 225 words per minute with at least 94% accuracy, or provide proof that the applicant possesses at least minimum competency skills to sit for the examination. In determining competency, the Board shall review the applicant's education, training and/or experience, such as practicing with a restricted license in the court system pursuant to Section 6 of the Act or practice in another jurisdiction.

Another proposed amendment provides that an applicant who submits an official copy of a Certificate of Merit or a Registered Professional Reporter's Certificate by examination issued by the National Shorthand Reporters Association shall not be required to sit for the Department's examination. The Board has determined that the examinations given by the

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National Shorthand Reporters Association are equivalent to the Department's examination.

6) Will these proposed amendments replace emergency amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local government.

11) Time, Place and Manner in which interested persons may comment on this Proposed rulemaking:
Interested persons may submit written comments and views to:

Department of Professional Regulation

Attention: Jean A. Courtney

320 West Washington, 3rd Floor

Springfield, IL 62786

217/785-0800 Fax #:217/782-7645

All comments received within 30 days of this issue of the Illinois Register will be considered. The comments of interested persons who submit a request to comment within 14 days of this issue will be considered if received within 30 days of such request.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Businesses offering shorthand reporting services and education providers offering shorthand reporting programs.

B) Reporting, bookkeeping or other procedures required for compliance: Continuing education sponsors will be responsible for verifying Attendance at each CE program and for providing a certificate of attendance.

C) Types of professional skills necessary for compliance:
Shorthand reporting skills are necessary for licensure.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

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TITLE 68: PROFESSIONS AND OCCUPATIONS
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
 SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1200
 ILLINOIS CERTIFIED SHORTHAND REPORTERS ACT OF 1984

Section	Application for Examination/Licensure
1200.20	Examinations
1200.30	Renewals
1200.35	Restoration
1200.40	Endorsement
1200.45	Fees for the Administration of the Act
1200.50	Annual Report of Board
1200.60	Conduct of Hearings
1200.70	Continuing Education
1200.75	Granting Variances
1200.80	

AUTHORITY: Implementing the Illinois Certified Shorthand Reporters Act of 1984 [225 ILCS 415] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Adopted at 5 Ill. Reg. 7518, effective July 2, 1981; codified at 5 Ill. Reg. 11024; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; emergency amendments at 8 Ill. Reg. 672, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 16443, effective August 29, 1984; amended at 11 Ill. Reg. 14073, effective August 5, 1987; transferred from Chapter VII, 68 Ill. Adm. Code 200 (Department of Registration and Education) to Chapter I, 68 Ill. Adm. Code 1200 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2917; amended at 12 Ill. Reg. 16718, effective September 30, 1988; amended at 13 Ill. Reg. 18865, effective November 21, 1989; amended at 16 Ill. Reg. 3169, effective February 18, 1992; amended at 18 Ill. Reg. _____, effective _____.

Section 1200.20 Application for Examination /Licensure

a) An applicant for examination /licensure shall file an application on forms supplied by the Department of Professional Regulation (the "Department") at least 60 days prior to an examination date. The application shall include:

- 1) Certification of graduation from high school or its equivalent;
- 2) Either:
 - a) An Affidavit of Ability, signed by an official of a shorthand reporter school, which conducts an equivalent preliminary examination; or
 - b) A determination by the Department under Section 1200-30(b)(2) stating that the applicant has successfully completed a verbatim record of unfamiliar testimony dictated for 5 minutes at a minimum speed of 225 words per minute with at least 94% accuracy; or

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proof that the applicant possesses at least minimum competency skills to sit for the examination, as recommended by the Board and approved by the Department. In determining competency the Board shall review the applicant's education, training and/or experience (such as practicing with a restricted license in the court system pursuant to Section 6 of the Act or practice in another jurisdiction); or

- 2) An official copy of a Certificate of Merit or a Registered Professional Reporter's Certificate by examination issued by the National Shorthand Reporters Association; or
- 3) A request to be scheduled for the preliminary examination as provided in Section 1200-30(f)(7); and

3) A complete work history since graduation from high school; and

4) The required application and examination fees as specified in Section 1200.50 of this Part.

b) An applicant who submits an official copy of a Certificate of Merit or a Registered Professional Reporter's Certificate by examination issued by the National Shorthand Reporters Association shall not be required to sit for the examination. The Department, upon recommendation of the Board, has determined that the examinations given by the National Shorthand Reporters Association are equivalent to the examination set forth in Section 1200.30.

e) Upon proof of successful completion of the examination as specified in Section 1200-30(f)(7) of this Part and upon payment of the registration fee specified in Section 1200.50 of this Part, a certificate of registration will be issued.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 1200.30 Examinations

a) The Examination for certification as a certified shorthand reporter shall be administered by the Department or its designated testing service. The examination shall be given in 3 portions, as set forth below. Applicants are required to pass the Preliminary Examination before being allowed to take either the Written Knowledge or the Dictation Examination. Applicants who present satisfactory evidence to the Department of successful completion of an examination which the Department deems to be equivalent to the Preliminary Examination shall not be required to take the Preliminary Examination. An examination shall be deemed equivalent if it is as specified in (b)(2) of this section. Satisfactory evidence shall be as specified in subsection (b) of this Section:

- i) Preliminary Examination. A preliminary examination shall be required of all applicants except as provided in subsection (b) below. The applicant will be tested on his ability to make a verbatim record of unfamiliar testimony dictated for 5 minutes at a minimum speed of 225 words per minute with at least 94% accuracy.

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1) 2 Written Knowledge Examination. The written examination is given to determine the applicant's competency and ability:

A) To understand the English language, including reading, spelling and the applicant's knowledge of day to day vocabulary, as well as medical, legal and technical vocabulary, without the use of a dictionary.

B) To accurately report any of the matters comprising the practice of shorthand reporting as defined in the Illinois Certified Shorthand Reporters Act of 1984 [225 ILCS 415] ~~(((1117--Rev---Stat---1989---ch---1117---par---6201---et---seq---))~~ (the "Act"), by the use of any system of manual or mechanical shorthand or shorthand writing.

C) To clearly understand the obligations between a shorthand reporter and the parties to any proceedings reported; and

D) To understand the provisions of the Act.

2) 3 Dictation Examination

A) This portion of the examination shall consist of the following parts:

i) General dictation at 200 words per minute for 5 minutes with an allowance of 50 errors. (Definition: spoken words presented in court proceedings, depositions, arbitrations, speeches and hearings).

ii) Testimony, 2 voice, 225 words per minute for 5 minutes with an allowance of 57 errors.

B) Transcription. Upon completion of both parts of the Dictation Examination, the applicant shall transcribe both parts in double-space form.

C) The applicant shall be allowed an aggregate of three hours to complete all transcription. Those retake applicants required to transcribe only one part of the Dictation Examination shall be allowed one and one-half hours.

b) Waiver of Preliminary Examination

1) 1 ~~The Department shall waive the Preliminary Examination for applicants who submit:~~

A) ~~A Registered Professional Reporter's Certificate by examination or a Certificate of Merit issued by the National Shorthand Reporters Association, or~~

B) ~~An Affidavit of Ability from a shorthand reporting school which conducts an equivalent preliminary examination, as determined by the Department upon the recommendation of the Shorthand Reporters Board of Examiners;~~

2) The Affidavit of Ability Certificate of Merit and Registered Professional Reporter's Certificate by examination will be void upon the third failure of the Written Knowledge or Dictation portions of the examination and the applicant will be required to sit for the Preliminary Examination as well as retake both the Written Knowledge and Dictation portions as required by subsection (c)(16) of this Section

3) In evaluating whether a shorthand reporting school gives an

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~~equivalent preliminary examination, the Board shall consider the following factors:~~

A) ~~Whether the test meets the minimum standards set out for the Preliminary Examination set forth in subsection (a)(1) above;~~

B) ~~Test security; and~~

C) ~~The preceding performance record on Illinois licensure examinations of the students from that school; specifically:~~

1) ~~The number of examinees;~~

2) ~~Stages;~~

3) ~~Failure rate; and~~

4) ~~Gender.~~

c) b Grading of the Examination

1) The passing score on the Written Knowledge Examination set forth in subsection (a)(2) (A)(1) is 75% or better.

2) An applicant shall successfully complete the Preliminary Examination if he/she transcribes the testimony dictated for 5 minutes at a minimum speed of 225 words per minute with at least 94% accuracy.

3) An applicant shall pass the Dictation Examination set forth in this subsection (a)(2) if he/she successfully transcribes within the given time periods set forth in subsections (A) and (B) below:

A) 200 words per minute for 5 minutes with 50 errors or fewer on the general dictation part; and

B) 225 words per minute for 5 minutes with 57 errors or fewer on the 2 voice testimony.

3) 4 In scoring the Dictation Examination, "Q" representing question and "A" representing answer, shall not be counted as words in the testimony portion; however, such signs must appear in proper order in the transcript.

4) 5 Applicants who fail a portion of an examination will be required, on their second and third attempts, to retake only the portion or dictation part of the examination which they did not pass.

5) 6 If an applicant must take any portion of the examination more than 3 times, the fourth examination shall be considered to be the same as the first; the applicant shall take all 3 both portions of the examination, and retakes shall be in accordance with subsection (a) (4) above.

d) c Required Supplies for the Examination

1) Each applicant must supply his/her own bound dictionary, pens, pencils, stenographic machine, erasers, stenograph paper, and notebooks or note paper. The use of only one dictionary per person is permitted. Typewriters shall be supplied at the location of the examination.

2) Applicants shall not be permitted to use tape recorders or other electronic recording devices during the examination sessions.

3) Typing paper will be provided.

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e† d) The provisions of this Section shall apply to all applicants upon adoption without regard to where the applicant is in the application process.

e) An applicant for licensure who possesses an active Registered Professional Reporter Certificate by examination or a Certificate of Merit issued by the National Court Reporters Association shall not be required to sit for the examination. The Department, upon recommendation of the Board, has determined that the Registered Professional Reporter and Certificate of Merit examinations are equivalent to the examination administered by the Department.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 1200.40 Restoration

a) A person seeking restoration of his a certificate after it has expired or has been placed on inactive status for more than 5 years shall file an application with the Department together with the required fees specified in Section 1200.50 of this Part. After May 31, 1997, in order to restore a license, a person shall submit proof of 10 hours of continuing education completed within 2 years before restoration in accordance with Section 1200.75 of this Part. The applicant shall also submit either:

- 1) Certification of current licensure from another jurisdiction completed by the appropriate board or licensure authority;
- 2) Affidavits from 2 members of the bench or bar attesting to the applicant's active practice of shorthand reporting in a state that does not require licensure for at least one year immediately prior to the date of application; or
- 3) An affidavit attesting to military service as provided in Section 14 of the Act; or

4) Other proof acceptable to the Department of the applicant's fitness to have his the certificate restored.

b) A registrant seeking restoration of his a certificate which that has expired for less than 5 years shall have his the certificate restored upon payment of \$10 plus all lapsed renewal fees required by Section 1200.50 of this Part. After May 31, 1997, in order to store a license, a person shall submit proof of 10 hours of continuing education completed within 2 years before restoration in accordance with Section 1200.75 of this Part.

c† When the accuracy of the submitted documentation or the relevance or sufficiency of the coursework or experience is reasonably questioned by the Department, the certificate holder will be requested to provide such information as may be necessary and/or explain such relevance or sufficiency during an oral interview; or

d† Appear for an oral interview designed to determine the individual's current competence to practice shorthand reporting.

c) When the accuracy of any submitted documentation or the relevance or

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sufficiency of the coursework or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the person seeking restoration of a license shall be requested to:

- 1) Provide such information as may be necessary; and/or
- 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information. Upon the recommendation of the Board and approval of the Department, an applicant shall have the license restored.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 1200.75 Continuing Education

a) Continuing Education (CE) Requirements

1) Beginning with the May 31, 1997, renewal and every renewal thereafter, every registrant who applies for renewal of a certificate of registration as a certified shorthand reporter shall complete during the prerenewal period 10 hours of continuing education (CE) relevant to the practice of shorthand reporting.

2) A prerenewal period is the 24 months preceding May 31 of each odd-numbered year.

3) A CE hour means a minimum of 50 minutes of actual clock time spent by a registrant in actual attendance at and completion of an approved CE activity. After completion of the initial CE hour, credit may be given in one-half hour increments.

4) A renewal applicant shall not be required to comply with CE requirements for the first renewal of an Illinois certificate of registration.

5) Shorthand reporters registered in Illinois but residing and practicing in other states shall comply with the CE requirements set forth in this Section.

b) How to Acquire CE Credits

1) CE hours may be earned from:

- A) Verified attendance at or participation in a program, activity or course through the National Court Reporters Association.

B) Verified attendance (e.g., certificate of attendance or certificate of completion) at or participation in a program, activity or course ("program") presented by a continuing education sponsor in subsection (c) below.

C) Verified attendance at an approved program that is of general information value to shorthand reporters but does not directly relate to the reporter's ability to produce an accurate and timely transcript. A maximum of 5 hours credit may be counted during a prerenewal period for such programs.

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which include:

- i) Professionalism, including knowledge and application of standards of professional responsibility, impartiality, public relations, attire, and
- ii) Office procedures, record-keeping, health, including a reporter's approach to personal tax management, planning for retirement or changing careers within reporting, maintaining the individual reporter's health and emotional adjustment, ability to listen, to concentrate, to communicate, to cope.

D) Verified personal preparation of educational presentations pertaining to the profession of court reporting and serving as an instructor, speaker or panel member at an approved course will be allowed as CE credit for actual presentation time, plus actual preparation time of up to 2 hours for each hour of presentation. Credits for preparation time shall not be allowed for repetitions presentations. No more than 5 hours of credit can be earned under this category in any one renewal period.

E) Writing articles pertaining to the profession of court reporting and published in a state or nationally recognized professional journal of court reporting or law. No more than 5 hours of credit can be earned under this category in any one renewal period. Credits will not be allowed for the same article published in more than one publication.

2) Courses completed that are a part of the curriculum of a university, college or other educational institution. One semester of course work is equivalent to 15 hours of CE and one quarter of course work is equivalent to 10 hours of CE.

c) CE Sponsors and Programs

1) Sponsor, as used in this Section, shall mean the following:

- A) The National Court Reporters Association;
- B) The Illinois Shorthand Reporters Association or any state court reporters association whose course or program has been approved for CE credits under the guidelines of the National Court Reporters Association;
- C) Any computer users group whose program or course has been approved for CE credits under the guidelines of the National Court Reporters Association;
- D) A city, county, state or federal judicial body responsible for coordination and presentation of CE courses or programs for its employees;
- E) A university or college course or adult education program that contributes directly to the Certified Shorthand Reporter's knowledge, ability or competence to perform his/her duties; and
- F) Any other school, college or university, State agency, or any other person, firm or association that has been approved and authorized by the Department to coordinate and present

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CE courses and programs in conjunction with this Section. Entities seeking approval as CE sponsors shall file an application, on forms supplied by the Department, along with a \$200 application fee. (State agencies, State colleges and State universities in Illinois shall be exempt from paying this fee). Along with the application, the applicant shall submit a list of proposed programs including the description, location, date and time of the programs. The applicant shall certify on the application the following:

A) That all programs offered by the sponsor for CE credit will comply with the criteria in subsection (c)(3) below and all other criteria in this Section;

B) That the sponsor will be responsible for verifying attendance at each program and provide a certificate of attendance as set forth in subsection (c)(10) below;

C) That upon request by the Department, the sponsor will submit evidence (e.g., certificate of attendance or course materials) as is necessary to establish compliance with this Section. Evidence shall be required when the Department has reason to believe that there is not full compliance with this Part and that the information is necessary to ensure compliance.

3) All programs shall:

A) Contribute to the advancement, extension and enhancement of the professional skills and knowledge of the individual registrant in the practice of shorthand reporting;

B) Include one or more of the following subjects directly related to the shorthand reporter's ability to produce accurate and timely transcripts:

- i) English, including grammar, punctuation, general principles, spelling, vocabulary, etymology, usage, semantics, regional and minority dialects or colloquialisms, English history, transcript styles;
- ii) Medical, including Greek and Latin derivatives, homonyms, abbreviations, surgical procedures, pharmacy, anatomy and physiology, specialized medical fields, (i.e., neurology, dentistry, radiology, gastroenterology), with emphasis on terminology and techniques or concepts likely to be encountered during litigation;
- iii) Legal, including terminology, research techniques, presentations on the various subdivisions of law (i.e., criminal torts, domestic relations, corporate, admiralty, patent, environmental) and procedural law (i.e., depositions, trials, administrative proceedings) presentations by legal specialists or experts in the field, history of the American/world legal system;
- iv) Technical subjects presented by experts with emphasis

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on terminology and concepts encountered by the shorthand reporter during litigation (i.e., accident reconstruction, chemistry, construction, geology, insurance, maritime, aerospace, products liability, industrial and environmental pollution);

- v) Technology related to new developments in the field of reporting (i.e., computer technology, computer techniques, video, telecommunications, equipment maintenance);

vi) General litigation procedures as they relate to court, deposition and administrative proceedings (i.e., reporting depositions, court hearings, arbitrations, conventions and the court reporter's responsibility with regard to these proceedings, notary responsibilities, marking exhibits, reading back, going on and off the record, review of statutes, rules related to the reporter;

vii) Transcript preparation, including indexing of witnesses, exhibits, formats, dictating, editing and scoping, reference libraries and research techniques, proofreading; and

viii) Management, including financial, marketing, personnel, equipment maintenance, time and stress management.

- C) Be relevant to the needs of shorthand reporters and also to the reporting service needs of the users;

D) Be developed and presented by persons with education and/or experience in the subject matter of the program;

E) Specify for whom the program is primarily designed, the course objectives, course content and teaching methods to be used; and

F) Specify the number of CE hours that may be applied to fulfilling the Illinois CE requirements for renewal of the certification of registration.

- 4) Each CE program shall provide a mechanism for evaluation of the program by the participants. The evaluation may be completed on-site immediately following the program or an evaluation questionnaire may be distributed to participants to be completed and returned by mail. The sponsor and the instructor, together, shall review the evaluation outcome and revise subsequent programs accordingly.

5) An approved sponsor may subcontract with individuals and organizations to provide approved programs.

6) Continuing education credits may be awarded for home study courses and correspondence courses, provided they are courses administered by approved sponsors.

7) All programs given by approved sponsors shall be open to all registered shorthand reporters and not be limited to members of a single organization or group.

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- 8) Continuing education credit hours used to satisfy the CE requirements of another jurisdiction may be applied to fulfill the CE requirements of the State of Illinois.

9) To maintain approval as a sponsor, each sponsor shall submit to the Department by May 31 of each odd-numbered year a renewal application, a \$300 fee and a list of courses and programs offered within the last 24 months. The list shall include a brief description, location, date and time of each course given.

10) Certificate of Attendance. It shall be the responsibility of a sponsor to provide each participant in a program with a certificate of attendance or participation. The sponsor's certificate of attendance shall contain:

A) The name, address and certificate number of the sponsor;

B) The name and address of the participant;

C) A brief statement of the subject matter;

D) The number of hours attended in each program;

E) The date and place of the program; and

F) The signature of the sponsor.

11) The sponsor shall maintain attendance records for not less than 5 years.

12) The sponsor shall be responsible for assuring that no renewal applicant shall receive CE credit for time not actually spent attending the program.

13) Upon the failure of a sponsor to comply with any of the foregoing requirements, the Department, after notice to the sponsor and hearing before and recommendation by the Board (see 68 Ill. Adm. Code 1110), shall thereafter refuse to accept for CE credit attendance at or participation in any of that sponsor's CE programs until such time as the Department receives assurances of compliance with this Section.

14) Notwithstanding any other provision of this Section, the Department or Board may evaluate any sponsor of any approved CE program at any time to ensure compliance with requirements of this Section.

d) Activities Not Qualifying for CE Credit

1) Certain activities that shall not be considered acceptable for continuing education credits include, but shall not be limited to, the following:

A) Attendance or participation at professional or association business meetings, conferences, general sessions, elections, policymaking sessions or program orientation;

B) Serving on committees;

C) Entertainment and recreation;

D) Tours, visiting exhibits;

E) Any function for which the registrant receives remuneration as part of his/her regular employment;

F) In-house training on office equipment; and

G) Courses with a main thrust of teaching nonverbal skills (i.e., golf, tennis, dancing, basket-weaving).

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e) Certification of Compliance with CE Requirements

- 1) Each renewal applicant shall certify, on the renewal application, full compliance with the CE requirements set forth in subsections (a) and (b) above.
- 2) The Department shall conduct random audits to verify compliance with CE requirements.
- 3) The Department may require additional evidence (e.g., certificate of attendance). This additional evidence shall be required in the context of the Department's random audit. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance.

- 4) When there appears to be a lack of compliance with CE requirements, an applicant shall be notified in writing and may request an interview with the Board. At that time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act (5 ILCS 100/10-65).

f) Continuing Education Earned in Other Jurisdictions. If a registrant has earned CE hours offered in another state or territory not given by an approved sponsor for which the licensee will be claiming credit toward full compliance in Illinois, the applicant shall submit an individual program approval request form, along with a \$25 processing fee, within 90 days of completion of the CE program and prior to expiration of the license. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(3) of this Section. Applicants may seek individual program approval prior to the participation in the program.

g) Restoration of Nonrenewed or Inactive Certificate of Registration. Upon satisfactory evidence of compliance with CE requirements, the Department shall restore the certificate upon payment of the required fee as provided by Section 1200.50 of this Part.

h) Waiver of CE Requirements

- 1) Any renewal applicant seeking renewal of a certificate of registration without having fully complied with these CE requirements shall file with the Department a renewal application along with the required fee set forth in Section 1200.50 of this Part, a statement setting forth the facts concerning non-compliance and request a waiver of the CE requirements on the basis of these facts. A request for waiver shall be made prior to the renewal date. If the Department, upon the written recommendation of the Board, finds from such affidavit or any other evidence submitted that extreme hardship has been shown for granting a waiver, the Department shall waive enforcement of CE requirements for the renewal period for which the applicant has applied.

- A) Extreme hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prerenewal period because of:

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- i) Full-time service in the armed forces of the United States during a substantial part of the prerenewal period;
- ii) An incapacitating illness documented by a statement from a currently licensed physician;
- iii) A physical inability to travel to the sites of approved programs documented by a currently licensed physician; or
- iv) Any other similar extenuating circumstances.

- B) Persons employed as full-time court reporters under the Court Reporters Act may apply for a waiver from the continuing education requirements. The waiver shall be granted upon the submission of evidence satisfactory to the Department that the certified shorthand reporter is employed as a full-time court reporter under the Court Reporters Act.
- 2) Any renewal applicant who, prior to the expiration date of the license, submits a request for a waiver, in whole or in part, pursuant to the provisions of this Section, shall be deemed to be in good standing until the final decision on the application is made by the Department.

(Source: Added at 18 Ill. Reg. _____, effective _____)

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1) Heading of the Part: Cancellation, Revocation or Suspension of Licenses or Permits

The full text of the proposed rule begins on the next page.

2) Code Citation: 92 Ill. Adm. Code 1040

3) Section Numbers: Proposed Action

1040.25 Amendment
1040.32 Amendment

4) Statutory Authority: Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)] and Articles II and VII of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-201 and 6-700].

5) A Complete Description of the Subjects and Issues Involved: Section 1040.25 is being amended in response to P.A. 88-197. Section 1040.32 is being amended to reflect the current language of the Statute (625 ILCS 5/6-206(a)(10)).

6) Will this proposed rulemaking replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed rulemaking contain incorporations by reference? No, this amendment does not contain incorporations by reference.

9) Are there any other amendments pending on this part? No.

10) Statement of Statewide Policy Objective: This rulemaking will have no effect on local units of government.

11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Secretary of State will fully consider all comments received within 45 days of the date this notice is published. All comments must be in writing and should be sent to:

Mark A. Novak
Assistant Counsel to the Secretary
2701 S. Dirksen Parkway
Springfield, IL 62723
217/782-5356

12) Initial Regulatory Flexibility Analysis: After careful consideration, the Secretary of State does not feel this proposed rulemaking will affect any types of small businesses and the proposed rule has not been submitted to the Small Business Office of the Department of Commerce and Community Affairs.

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TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATEPART 1040
CANCELLATION, REVOCATION OR SUSPENSION OF LICENSES OR PERMITS

Section	
1040.10	Court to Forward Licenses and Reports of Convictions
1040.20	Illinois Offense Table
1040.25	Suspension or Revocation for Driving Without a Valid Driver's License
1040.30	3 Or More Traffic Offenses Committed Within 12 Months
1040.31	Operating A Motor Vehicle During A Period of Suspension or Revocation
1040.32	Suspension or Revocation of Driver's Licenses, Permits or Identification Cards Used Fraudulently
1040.35	Commission of an Offense Requiring Mandatory Revocation or Discretionary Suspension or Revocation Upon Conviction
1040.38	Commission of a Traffic Offense in Another State
1040.40	Repeated Convictions or Collisions
1040.41	Suspension of Licenses for Curfew Violations
1040.42	Fleeing and Eluding
1040.43	Illegal Transportation
1040.46	Fatal Accident and Personal Injury Suspensions or Revocations
1040.48	Vehicle Emission Suspensions
1040.50	Suspension or Revocation of a License of Commercial Vehicle Driver
1040.55	Suspension or Revocation for Driver's License Classification Violations
1040.60	Release of Information Regarding a Disposition of Court Supervision
1040.65	Offenses Occurring on Military Bases
1040.66	Invalidation of a Restricted Driving Permit
1040.70	National Driver Register
1040.80	Cancellation of Driver's License Upon Issuance of a Handicapped Identification Card
1040.100	Rescissions
1040.101	Reinstatement Fees
1040.102	Bankruptcy for Suspensions, Cancellations, Failure to Pay and Returned Checks Actions

AUTHORITY: Implementing Articles II and VII of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Arts. II and VII] and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)].

SOURCE: Filed September 22, 1972; amended at 3 Ill. Reg. 36, p. 282, effective June 30, 1979; amended at 5 Ill. Reg. 3533, effective April 1, 1981; amended at 6 Ill. Reg. 4239, effective April 2, 1982; codified at 6 Ill. Reg. 12674; amended at 8 Ill. Reg. 2200, effective February 1, 1984; amended at 8 Ill. Reg. 3783, effective March 13, 1984; amended at 8 Ill. Reg. 18925, effective September 25, 1984; amended at 8 Ill. Reg. 23385, effective November 21, 1984; amended at 10 Ill. Reg. 15265, effective September 4, 1986; amended at 11 Ill.

Reg. 16927, effective October 1, 1987; amended at 11 Ill. Reg. 20657, effective December 8, 1987; amended at 12 Ill. Reg. 2148, effective January 11, 1988; amended at 12 Ill. Reg. 14351, effective September 1, 1988; amended at 12 Ill. Reg. 15625, effective September 15, 1988; amended at 12 Ill. Reg. 16153, effective September 15, 1988; amended at 12 Ill. Reg. 16906, effective October 1, 1988; amended at 13 Ill. Reg. 1593, effective January 23, 1989; amended at 13 Ill. Reg. 5162, effective April 1, 1989; amended at 13 Ill. Reg. 7802, effective May 15, 1989; amended at 13 Ill. Reg. 8659, effective June 2, 1989; amended at 13 Ill. Reg. 17087, effective October 16, 1989; amended at 13 Ill. Reg. 20127, effective December 8, 1989; amended at 14 Ill. Reg. 2944, effective February 7, 1990; amended at 14 Ill. Reg. 5178, effective April 1, 1990; amended at 14 Ill. Reg. 5560, effective April 13, 1990; amended at 14 Ill. Reg. 18088, effective October 22, 1990; amended at 15 Ill. Reg. 14258, effective September 24, 1991; amended at 17 Ill. Reg. 8512, effective May 27, 1993; amended at 17 Ill. Reg. 9028, effective June 2, 1993; amended at 17 Ill. Reg. 12782, effective July 21, 1993; amended at 18 Ill. Reg. 7447, effective May 3, 1994; amended at 18 Ill. Reg. 11644, effective July 7, 1994; amended at 18 Ill. Reg. _____, effective _____.

Section 1040.25 Suspension or Revocation for Driving Without a Valid Driver's License

a) For purpose of this Section, the following definitions shall apply:

"Auto Emissions Suspension" - suspension for failing to have a vehicle tested in accordance with Section 13A-101 et-seq. of the Vehicle Emission Inspection Law of the Illinois Vehicle Code
 (1111-Rev-Stat-1987-95-1727-par-13A-101-et-seq) [625 ILCS 5/13A-101].

"Cleared Suspension or Revocation" - a suspension or revocation of driving privileges which has terminated.

"Conviction" - adjudication of guilty as defined in Section 6-100 of the Illinois Driver Licensing Law of the Illinois Vehicle Code
 (1111-Rev-Stat-1987-95-1727-par-6-100) [625 ILCS 5/6-100].

"Curfew Violation Suspension" - suspension when a minor operates a vehicle on a highway during the prescribed hours without an adult or as otherwise provided for in Section 2371 of the Illinois Public Aid Code (1111-Rev-Stat-1987-95-1727-par-2371) [720 ILCS 555/1] in accordance with Section 6-206(a)(13) of the Illinois Driver Licensing Law of the Illinois Vehicle Code
 (1111-Rev-Stat-1987-95-1727-par-6-206(a)(13)) [625 ILCS 5/6-206(a)(13)].

"Department" - Department of Driver Services within the Office of the Secretary of State.

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"Failure to Appear Suspension" - suspension for failing to pay fine or appear in court following the issuance of a traffic ticket.

the purposes for which it is being used and which has not been invalidated, ~~by--cancellation--revocation--suspension--or--use~~ canceled, revoked, suspended or used after curfew.

"Financial Responsibility Suspension" - suspension in accordance with Section 7-304 and/or Section 7-305 of the Illinois Safety Responsibility Law of the Illinois Vehicle Code ~~§§11-Rev-Stat-1987-ch-95-1/27-pars-7-304-and-or-7-305~~ [625 ILCS 5/7-304 and/or 5/7-305].

"Warrant Parking/Traffic Suspension" - suspension for arrest warrants issued for failure to pay fines for traffic or parking violations.

"Miscellaneous Suspension" - safety responsibility, financial responsibility, warrant parking/traffic, auto emissions, failure to appear, curfew, or unsatisfied judgment.

b) When considering prior convictions, only convictions for driving without a valid driver's license within seven (7) years of the arrest date of the incoming conviction shall be considered.

"Prior Suspension or Revocation" - a suspension or revocation or extension of a suspension or revocation which appears on the driving record.

c) Only these suspensions or revocations cleared within seven (7) years of the forthcoming suspension's or revocation's effective date shall be considered as prior suspensions or revocations. Cleared miscellaneous suspensions shall not be considered prior suspensions for purposes of this Section.

"Revocation" - the termination by formal action of the Secretary of a person's license or privilege to operate a motor vehicle on the public highways which termination shall not be subject to renewal or restoration except that an application for a new license may be presented and acted upon by the Secretary after expiration of at least one year after the date of revocation as provided for in Section 1040.20 of this Part, and as defined in Section 1-176 of the Illinois Vehicle Code ~~§§11-Rev-Stat-1987-ch-95-1/27-pars-1-176~~ [625 ILCS 5/1-176].

d) Miscellaneous suspensions which have not been cleared shall be counted as a prior suspension if the arrest date of the conviction for driving without a valid license occurred after the effective date of the miscellaneous suspension and if the miscellaneous suspension is in full force and effect upon entry of the suspension or revocation for driving without a valid driver's license.

"Safety Responsibility Suspension" - suspension in accordance with Sections 7-205 or 7-208 of the Illinois Safety Responsibility Law of the Illinois Vehicle Code ~~§§11-Rev-Stat-1987-ch-95-1/27-pars-7-205-and-7-208~~ [625 ILCS 5/7-205 and 7-208].

e) A person shall have his/her driving privileges suspended or revoked by the Department if he/she is convicted of driving without a valid driver's license and has not been issued a valid Illinois driver's license on or prior to the date of conviction for the violation of driving without a valid license.

f) If a person has no prior suspension(s) or revocation(s) and a conviction for driving without a valid driver's license, the Department shall take action as follows:

f) If a person has one (1) prior suspension or revocation (excluding miscellaneous suspensions) and a conviction for driving without a valid driver's license, the Department shall take action as follows:

TABLE

Convictions

Action

first conviction	two (2) month suspension
second conviction	four (4) month suspension
third conviction	six (6) month suspension
fourth conviction	twelve (12) month suspension
fifth or subsequent convictions	revocation

"Unsatisfied Judgment Suspension" - suspension in accordance with Section 7-303 or 7-313 of the Illinois Safety Responsibility Law of the Illinois Vehicle Code ~~§§11-Rev-Stat-1987-ch-95-1/27-pars-7-303-and-7-313~~ [625 ILCS 5/7-303 and 7-313].

TABLE

Convictions

Action

g) If a person has one (1) prior suspension or revocation (excluding miscellaneous suspensions) and a conviction for driving without a valid driver's license, the Department shall take action as follows:

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first conviction
second conviction
third conviction
fourth or subsequent convictions

four (4) months suspension
six (6) month suspension
twelve (12) month suspension
revocation

- h) If a person has two (2) prior suspensions or revocations or any combination thereof (excluding miscellaneous suspensions) and a conviction for driving without a valid driver's license, the Department shall take action as follows:

TABLEConvictions

first conviction
second conviction
third or subsequent convictions

Action

six (6) month suspension
twelve (12) month suspension
revocation

- i) If a person has three (3) prior suspensions or revocations or any combination thereof (excluding miscellaneous suspensions) and a conviction for driving without a valid driver's license, the Department shall take action as follows:

TABLEConvictions

first conviction
second or subsequent convictions

Action

twelve (12) month suspension
revocation

- j) If a person has four (4) or more prior suspensions or revocations or any combination thereof (excluding miscellaneous suspensions) and a conviction for driving without a valid driver's license, the Department shall enter an order of revocation.

- k) If a conviction for driving without a valid driver's license shows an arrest date during a period of revocation which is in effect, the revocation shall be extended for one (1) year from the date of the conviction or one (1) year from the latest projected eligibility date on record whichever is the longer period of time. If a conviction for driving without a valid driver's license shows an arrest date during a period of suspension (excluding all miscellaneous suspensions except curfew) which is still in effect, the suspension shall be extended the same amount of time as the originally imposed suspension in accordance with Section 6-303 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (~~625-Rev-Stat-1987-ch-95-1/2-par-6-303~~). [625 ILCS 5/6-303].

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- l) If a person has a miscellaneous suspension (excluding curfew suspensions) which is in effect, has no prior suspensions or revocations and a conviction for driving without a valid driver's license, with an arrest date during the miscellaneous suspension, the Department shall take action as follows:

TABLEConviction

first conviction
second conviction
third conviction
fourth and subsequent convictions

Action

four (4) month suspension
six (6) month suspension
twelve (12) month suspension
revocation

- m) If a person has a miscellaneous suspension (excluding curfew suspensions) which is in effect, has one (1) prior suspension or revocation and a conviction for driving without a valid driver's license, with an arrest date during the miscellaneous suspension, the Department shall take action as follows:

TABLEConviction

first conviction
second conviction
third or subsequent convictions

Action

six (6) month suspension
twelve (12) month suspension
revocation

- n) If a person has a miscellaneous suspension (excluding curfew suspensions) which is in effect, has two (2) prior suspensions or revocations or any combination thereof and a conviction for driving without a valid driver's license, with an arrest date during the miscellaneous suspension, the Department shall take action as follows:

TABLEConviction

first conviction
second or subsequent convictions

Action

twelve (12) month suspension
revocation

- o) If a person has a miscellaneous suspension (excluding curfew suspensions) which is in effect, has three (3) or more prior suspensions or revocations or any combination thereof and a conviction for driving without a valid driver's license, with an arrest date

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during the miscellaneous suspension, the Department shall enter an order of revocation.

- p) If a person has a suspension in effect pursuant to Section 6-206(a)(19) or (6) of the Illinois Driver Licensing Law of the Illinois Vehicle Code ~~§§11-1-Rev,--Stat--1987,--ch--95-1/27,--pars-6-206(a)(19)--or--(6)~~ [625 ILCS 5/6-206(a)(19) or 6/206(a)(6)] and receives a subsequent conviction for driving without a valid driver's license, the suspension shall be amended in accordance with the guidelines of this Section.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 1040.32 Suspension or Revocation of Driver's Licenses, Permits or Identification Cards Used Fraudulently

- a) For purposes of this Section, the following definitions shall apply:

"Amnesty" - a sovereign act of forgiveness for past acts granted by a government to all persons (or to certain persons) generally conditioned upon their return to obedience and duty within a prescribed time as recognized by the Immigration Reform and Control Act of 1986. (P.L. 99-603.)

"Department" - Driver Services Department within the Office of the Secretary of State.

"Driver's License or Permit" - document which permits a person to legally operate a motor vehicle. Includes a restricted driving permit, a judicial driving permit, instruction permit, a traffic ticket issued where the person's driver's license is deposited in lieu of bail, a suspension notice in which the suspension is not yet effective, a duplicate or corrected driver's license, a temporary instruction permit, or temporary driver's license, or a probationary driver's license.

"False Information" - any information concerning the name, sex, date of birth, social security number or any photograph that falsifies all or in part the actual identity of the individual issued the driver's license, permit or identification card.

"Fictitious Driver's License or Permit" - any issued driver's license or permit for which a computerized number and file have been created by the Secretary of State or other official driver's license agency in another jurisdiction which contains false information concerning the identity of the individual issued the driver's license or permit.

"Fraudulent Driver's License or Permit" - any driver's license

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or permit which purports to be an official driver's license or permit for which a computerized number and file have not been created by the Secretary of State or other official driver's license agency in another jurisdiction.

"Fraudulent Identification Card" - any identification card which purports to be an official Illinois Identification Card or Illinois Disabled Person Identification Card for which a computerized number and file have not been created by the Secretary of State. For the purpose of this paragraph, any identification card which resembles an official Illinois Identification Card or Illinois Disabled Person Identification Card in either size or color or photograph location or design or uses the word "official", or "state", or "Illinois", individually or in any combination thereof to describe or modify the term "identification card" or "I.D. card" anywhere on the card, or uses a map of Illinois on the photograph side of the card, is deemed to be an identification card which purports to be an official Illinois Identification Card or Illinois Disabled Person Identification Card.

"Identification Card" - a standard Illinois Identification Card or Disabled Person Identification Card issued by the Secretary of State in accordance with Section 4 of the Illinois Identification Card Act. ~~§§11-1-Rev,--Stat--1989,--ch--1347,--par--24~~ [15 ILCS 335/4].

"Revocation" - The termination by formal action of the Secretary of a person's driver's license or privilege to operate a motor vehicle on the public highways, which termination shall not be subject to renewal or restoration except that an application for a new driver's license may be presented and acted upon by the Secretary after the expiration of at least one year after the date of revocation as defined in Section 1-176 of the Illinois Vehicle Code. ~~§§11-1-Rev,--Stat--1989,--ch--95-1/27,--par--1-176~~ [625 ILCS 5/1-176].

"Suspension" - The temporary withdrawal by a formal action of the Secretary of a person's driver's license or privilege to operate a motor vehicle on the public highways, for a period specifically designated by the Secretary pursuant to Section 1-204 of the Illinois Vehicle Code.

"Unlawfully Altered Driver's License, Permit or Identification Card" - any issued driver's license, permit or identification card for which a computerized number and file have been created by the Secretary of State or other official driver's license agency in another jurisdiction which has been physically altered or changed in such a manner that false information appears upon

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the driver's license or permit.

- b) The Secretary of State has discretionary authority to suspend or revoke the driving privileges of any person upon receipt of evidence that such person has committed one or more of the following offenses listed in Section 6-206 of the Illinois Driver Licensing Law of the Illinois Vehicle Code:---(f)(1)---Rev---Stat---1999---ch---95-1/2---par-6-206+ [625 ILCS 5/6-206].

1) If such person has permitted an unlawful use of driver's license, identification card, or permit by allowing another person to use said license, identification card or permit, the Department shall take the following action pursuant to Section 6-206(a)(5) of the Illinois Driver Licensing Law of the Illinois Vehicle Code:

ACTION TABLE

1st offense
1st offense (with pending
or effective Revocation)
2nd or subsequent offense

12-month Suspension
Revocation

Revocation; or

2) If such person has made a false statement or made any false affidavit or has knowingly concealed or affirmed falsely to a material fact or used false information or identification in an application for a driver's license, identification card or permit, the Department shall take the following action pursuant to Section 6-206(a)(9) of the Illinois Driver Licensing Law of the Illinois Vehicle Code:

ACTION TABLE

1st offense
1st offense (with pending
or effective Revocation)
2nd or subsequent offense

12-month Suspension
Revocation

Revocation; or

3) If such person has possessed, displayed or attempted to fraudulently use any driver's license, identification card, or permit not issued to such person, the Department shall take the following action pursuant to Section 6-206(a)(10) of the Illinois Driver Licensing Law of the Illinois Vehicle Code:

ACTION TABLE

1st offense
1st offense (with pending
or effective Revocation)
2nd or subsequent offense

12-month Suspension
Revocation

Revocation; or

4) If such person has submitted to any portion of the application process for another person or has obtained the services of another person to submit to any portion of the application process for the purpose of obtaining a driver's license, identification card or permit for some other person, the Department shall take the following action pursuant to Section 6-206(a)(12) of the Illinois Driver Licensing Law of the Illinois

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Vehicle Code:

ACTION TABLE

1st offense
1st offense (with pending
or effective Revocation)
2nd or subsequent offense

12-month Suspension
Revocation

Revocation; or

5) If such person has violated Sections 6-301, 6-301.1 or 6-301.2 of the Illinois Vehicle Code, the Department shall take action appropriate for the violation committed pursuant to Section 6-206 of the Illinois Driver Licensing Law of the Illinois Vehicle Code.

A) Unlawful use of driver's license or permit: If such person has displayed or caused to be displayed or had in his possession any cancelled, revoked or suspended driver's license or permit; allowed unlawful use of driver's license or permit; lent his driver's license or permit to any other person or knowingly allowed the use thereof by another; or displayed or represented as his own any driver's license or permit issued to another, the Department shall take the following action pursuant to Section 6-301 of the Illinois Driver Licensing Law of the Illinois Vehicle Code:

ACTION TABLE

1st offense
1st offense (with pending
or effective Revocation)
2nd or subsequent offense

12-month Suspension
Revocation

Revocation; or

B) Fictitious or unlawfully altered driver's license or permit: If such person has knowingly possessed or displayed any fictitious or unlawfully altered driver's license or permit; knowingly issued or assisted in the issuance of a fictitious driver's license or permit; or knowingly manufactured, possessed, transferred or provided any identification document for the purpose of obtaining a fictitious driver's license or permit, the Department shall take the following action pursuant to Section 6-301.1 of the Illinois Driver Licensing Law of the Illinois Vehicle Code:

ACTION TABLE

1st or subsequent offense
C) Fraudulent driver's license or permit: If such person has knowingly possessed, displayed or caused to be displayed any fraudulent driver's license or permit; knowingly possessed without authority any driver's license-making implement; or knowingly duplicated, manufactured, sold or transferred any fraudulent driver's license or permit, the Department shall take the following action pursuant to Section 6-301.2 of the Illinois Driver Licensing Law of the Illinois Vehicle Code:

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ACTION TABLE

- 1st or subsequent offense Revocation; or
- 6) If such person has permitted another person to use any form of such person's identification in the application process to obtain a driver's license, identification card, or permit, the Department shall take the following action pursuant to Section 6-206(a)(25) of the Illinois Driver Licensing Law of the Illinois Vehicle Code:

ACTION TABLE

- 1st offense 12-month Suspension
- 1st offense (with pending Revocation
- or effective Revocation)
- 2nd or subsequent offense Revocation; or
- 7) If such person has unlawfully altered or attempted to alter or possessed an altered driver's license, identification card, or permit, the Department shall take the following action pursuant to Section 6-206(a)(26) of the Illinois Driver Licensing Law of the Illinois Vehicle Code:

ACTION TABLE

- 1st offense 12-month Suspension
- 1st offense (with pending Revocation
- or effective Revocation)
- 2nd or subsequent offense Revocation; or
- 8) If such person has violated Section 6-16 of the Liquor Control Act of 1934 (~~41st-Rev.-Stat.-1989--ch.-43-par--131~~) [235 ILCS 5/6-16], the Department shall take the following action pursuant to Section 6-206(a)(27) of the Illinois Driver Licensing Law of the Illinois Vehicle Code:

ACTION TABLE

- 1st offense 12-month Suspension
- 1st offense (with pending Revocation
- or effective Revocation)
- 2nd or subsequent offense Revocation.
- c) The sources of acceptable proof of the offenses described in subsection (b) above are court documents, driver services facility applications, government entity documents, and law enforcement correspondence/reports.
- d) Persons who have applied for federal amnesty pursuant to the Immigration Reform and Control Act of 1986 (P.L. 99-603) shall not be suspended or revoked under subsection (b) of this Section if they show proof to the Department that they have applied for federal amnesty, unless they are otherwise ineligible to be licensed as drivers or granted a permit, as provided by Section 6-103 of the Illinois Driver Licensing Law of the Illinois Vehicle Code. Proof shall be the application documents for federal amnesty issued by the Immigration and Naturalization Service verifying that the individual has applied

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for federal amnesty. If an individual seeking federal amnesty has previously been found by the Department to be in violation of this Section or if the Department receives a report from individuals or agencies listed in subsection (c) of this Section that a person applying for federal amnesty has been convicted of committing a criminal act involving the use of their identification card, driver's license or permit in violation of the Criminal Code of 1961 (~~41st-Rev.-Stat.-1989--ch.-38-par--1-et-seq-~~) [720 ILCS 5/1-Art. I], his or her driving privileges shall be suspended or revoked by the Department in accordance with subsection (b) of this Section.

- e) The Director of the Department shall rescind a suspension or revocation or reduce the period of a suspension for fraudulent activity if the Office of the Inspector General provides the Director with sufficient evidence demonstrating the person has cooperated in the course of an official investigation regarding the sale, manufacture, issuance or receipt of a fraudulent or fictitious driver's license or identification card. Sufficient evidence of cooperation will be shown by a written statement to the Director signed by the supervising official of the Office of the Inspector General. Whether the person cooperated in an investigation will be determined by the Office of the Inspector General.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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1) Heading of the Part: FEES FOR RADIOACTIVE MATERIAL LICENSES2) Code Citation: 32 Ill. Adm. Code 3313) Section Number:

331.10 Adopted Action:

331.20 Amendment

331.30 Amendment

331.110 Amendment

331.120 Amendment

331.130 Amendment

331.200 Amendment

Appendix B Repealed

Appendix D New Section

4) Statutory Authority: Implementing and authorized by Section 11 of the Radiation Protection Act of 1990 [420 ILCS 40/11]5) Effective Date of Amendments: August 1, 19946) Does this rulemaking contain an automatic repeal date? No7) Does these amendments contain incorporations by reference? No8) Date filed in Agency's Principal Office: July 29, 19949) Notice of Proposal Published in the Illinois Register:

March 4, 1994 (18 Ill. Reg. 3045)

10) Has JCAR issued a Statement of Objections to these Amendments? No11) Differences between proposal and final version:

a) In Section 120:

in subsection (a)(6), on line 11, the phrase "after the effective date of this amendment" has been changed to the phrase "after August 1, 1994";

in subsection (b)(2), on line 3, the phrase "after the effective date of this amendment" has been changed to the phrase "after August 1, 1994".

b) In Appendix D:

in subsection 101(J), on lines 1 and 6 by deleting the phrase "Non-Portable".

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in subsection 101(K), on line 6, by deleting the phrase "(including portable x-ray fluorescence analyzers)".

in subsection 106(B), on line 3, by changing the word "which" to the word "that".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? The Joint Committee on Administrative Rules did not issue an agreement letter for this Part.

13) Will these amendments replace an emergency amendment currently in effect?
No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: This Amendment will: (1) repeal the current fee schedule, codified as Appendix B and replace it with a new fee schedule which will be codified as Appendix D; (2) clarify how fees are assessed to educational institutions that seek or possess licenses authorizing human use or remunerated services to others; (3) add another fee category to Section 107; (4) change categories 107B, 107C and 109 to "full cost" licenses; (5) adjust the full cost deposit for category 107D and increase the full cost hourly rate from \$75 to \$90 an hour. This Amendment will also clarify some fee descriptions and make minor editorial changes in Sections 331.10, 331.20, 331.30 and 331.120.

16) Information and questions regarding these amendments shall be directed to:

Valerie Puccini
Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
(217) 785-9881 (voice)
(217) 785-9900 (TDD)

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF ADOPTED AMENDMENTTITLE 32: ENERGY
CHAPTER II: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER b: RADIATION PROTECTIONPART 331
FEES FOR RADIOACTIVE MATERIAL LICENSES

Section	Purpose
331.10	Scope
331.20	Definitions
331.30	Exemptions
331.110	Payment of Fees
331.120	Refunds
331.130	Full Cost of Review
331.200	Schedule of Fees For Radioactive Material Licenses (Repealed)
331.210	Failure By Applicant or Licensee To Pay Prescribed Fee
331.310	Schedule of License Fees (Repealed)
APPENDIX A	TABLE A License Fees - Jan. 1, 1988 - Dec. 31, 1988 (Repealed)
	TABLE B License Fees - Jan. 1, 1989 - Dec. 31, 1989 (Repealed)
	TABLE C License Fees - Jan. 1, 1990 - Dec. 31, 1990 (Repealed)
APPENDIX B	Fee Schedule For Radioactive Material Licenses (Repealed)
APPENDIX C	Fee Schedule For Sealed Source And Device Evaluations (Repealed)
APPENDIX D	Fee Schedule For Radioactive Material Licenses

AUTHORITY: Implementing and authorized by Section 11 of the Radiation Protection Act of 1990 [420 ILCS 40/11].

SOURCE: Adopted at 10 Ill. Reg. 17239, effective September 25, 1986; amended at 11 Ill. Reg. 20570, effective January 1, 1988; amended at 15 Ill. Reg. 90, effective January 1, 1991; amended at 16 Ill. Reg. 11479, effective July 7, 1992; amended at 18 Ill. Reg. _____, effective _____.

Section 331.10 Purpose

~~The regulations in this Part establish~~ establishes the fees charged for radioactive material licenses, and sealed source and device evaluations conducted in support of radioactive material licenses issued by the Illinois Department of Nuclear Safety (the Department) ~~as authorized under Section 11 of the Radiation Protection Act of 1990 (420 ILCS 40/11) and this Part shall not become effective for licenses authorizing the receipt, use, possession, storage, or disposal of byproduct material as defined in 40/1 of the Radiation Protection Act of 1990 (420 ILCS 40/1) or for licenses included in category 106A of Appendix B until an agreement is entered into by the U.S. Nuclear Regulatory Commission and the State of Illinois which transfers to the State regulatory authority over such material.~~

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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Section 331.20 Scope

Except for persons who apply for or hold only licenses exempted in Section 331.110, ~~the regulations of this Part apply~~ applies to any person who is an applicant for, or holder of, a radioactive material license issued pursuant to 32 Ill. Adm. Code 330, 332 or 601, or a sealed source or device evaluation issued to a radioactive material licensee.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 331.30 Definitions

The following definitions are applicable for use in this Part only. Additional definitions for use in this Part are located in 32 Ill. Adm. Code 310.20.

"Application" means a request filed with the Department for a license, amendment, amendment to terminate a license, renewal, sealed source or device evaluation, amendment to a sealed source or device evaluation ~~or amendment for an exemption granted by the Department pursuant to 32 Ill. Adm. Code: Chapter II.~~

"Amendment" means a modification in the license document that reflects changes to a radiation safety program or a sealed source or device evaluation which do not meet the criteria of a minor amendment.

"Amendment fee" means fees assessed for modifying a previously approved sealed source or device evaluation, or for modifying a license to increase the number of permanent jobsites listed on the license, to add a new material use category or to change the radiation safety program at a licensed facility. For licenses based on the full cost of review "Amendment fees" do not include the fee associated with processing a "minor amendment".

AGENCY NOTE: For licenses based on fixed fees, there is no fee assessed for amendments to change the radiation safety program. The cost to the Department for processing such amendments is incorporated into the fixed license fee. For licenses based on fixed cost, fees for adding additional jobsites or for adding additional material use categories are assessed in accordance with Section 331.120.

"Category I irradiator" means a gamma irradiator in which the sealed source is completely contained in a dry container constructed of solid material, the sealed source is shielded at all times, and human access to the sealed source and the volumes undergoing irradiation is not physically possible because of the design of the irradiator.

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"Category II irradiator" means a controlled human access gamma irradiator in which the sealed source is contained in a dry container constructed of solid materials, is fully shielded when not in use and is exposed within a radiation volume that is maintained inaccessible during use by an entry control system.

"Category III irradiator" means a gamma irradiator in which the sealed source is contained in a storage pool (usually containing water), the sealed source is shielded at all times, and human access to the sealed source and the volume undergoing irradiation is physically restricted in its design configuration and proper mode of use.

"Category IV irradiator" means a controlled human access gamma irradiator in which the sealed source is contained in a storage pool (usually containing water), if fully shielded when not in use and is exposed within a radiation volume that is maintained inaccessible during use by an entry control system.

"Confirmatory environmental monitoring" means those surveys conducted by the Department either to establish whether the licensee has complied with the concentrations and exposure limits specified in 32 Ill. Adm. Code 332, 340, 601 or 606, or to provide data to evaluate potential health and environmental impacts resulting from licensed activities.

"Dispensing" means to remove aliquots of radioactive material from bulk stock and distribute portions to another licensee or to a person exempt from licensure.

"Distribution" means the transfer of radioactive material to three or more licensees or persons exempt from licensure pursuant to 32 Ill. Adm. Code 330 or 332.

"Educational institution" means a non-profit organization which has as its primary purpose the advancement of knowledge in one or more specific fields and which is accredited by the North Central Association of Colleges and Schools.

"Evaluation fees" means fees assessed for evaluation of new sealed sources or devices.

"License fees" means fees for new radioactive material licenses or renewal of existing radioactive material licenses as specified in 32 Ill. Adm. Code 330.330, 332.120 or 601.130.

"Manufacture" means the dispensing or processing of radioactive material or the assembly of radioactive material as sealed sources into devices.

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"Materials license" means a radioactive material license issued pursuant to 32 Ill. Adm. Code 330, 332 or 601.

"Material use category" means the category described in Appendix B D that represents the use of radioactive material authorized by the licensee license or the requested authorized use submitted by the applicant.

"Minor amendment" means changes to a radiation safety program which are administrative in nature, such as changing the name of the Radiation Safety Officer or changing the users specified on a radioactive material license. A fee is charged for minor amendments to licenses when the initial license fee is based on full cost of review.

AGENCY NOTE: Although all licensees are required to obtain amendments prior to instituting administrative changes in the radiation safety program, no fee is assessed for minor amendments to licenses for which a fixed fee is prescribed in Appendix B D. The cost to the Department of processing minor amendments to such licenses is incorporated in the initial license fee.

"Permanent jobsite" means any location where licensed material is stored or used for more than 180 days during any consecutive 12 months.

"Processing" means the preparation, manipulation or conversion of radioactive material.

"Temporary jobsite" means any location where licensed material is used or stored for 180 days or less during any consecutive 12 months.

"Treatment" means any method, technique or process, including storage for radioactive decay, designed to change the physical, chemical or biological characteristics or composition of any waste in order to render the waste safer for transport, storage or disposal, amenable to recovery, convertible to another usable material or reduced in volume.

†Ill.-Rev.-Stat-1989-ch-111-1/27-par-341-37

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 331.110 Exemptions

No fees as described in Section 331.120 shall be required for:

- a) A general license issued pursuant to 32 Ill. Adm. Code 330.210, 330.220(a), (b), (c), (d), (e), (g) or 330.900(a)(2) and (b)(2).
- b) A license for possession and use of radioactive material issued to an agency of a state, county, or municipal government or any political subdivision thereof. This exemption does not apply to

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licenses for which the license fee is based on full cost, licenses which authorize distribution of radioactive material, or licenses authorizing services to any person other than an agency or political subdivision of the state, county, or municipal government.

c) a license for possession and use of radioactive material issued to an educational institution as defined in Section 331.30. This exemption does not apply to licenses that authorize human use or remunerated services to others.

d) an application to amend a materials license for which the license fee is not based on full cost, that would not change the material use category or add additional permanent jobsites.

e) a license authorizing the use of source material as shielding only in devices and containers, provided, however, that all other licensed material in the device or container will be subject to the fees prescribed in Appendix B D of this Part.

f) an application to change the status of a sealed source or device evaluation from "active" to "inactive". For purposes of this exemption, a sealed source or device evaluation is designated "active" if new sources or devices are being manufactured and/or distributed for use. An evaluation is designated "inactive" when such sources and devices are no longer manufactured for commercial distribution.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 331.120 Payment of Fees

Fees for licensing actions and for evaluations of sealed sources and devices shall be assessed and paid as follows:

a) For licenses that Appendix B D specifies as being assessed a fixed cost license fee, fees shall be assessed for application for new licenses, amendments to add or change material use categories, amendments to increase the number of permanent jobsites, and renewals of existing licenses. Fixed cost license fees shall be assessed as follows:

1) Unless a license or amendment is exempt under Section 331.110, or the license fee is to be based on full costs (see Appendix B D), each application for which a fixed fee is prescribed in Appendix B D of this Part shall be accompanied by a remittance in the full amount of the fee. No application will be processed prior to payment of the full amount specified.

2) For applications covering only one material use category, the prescribed fee shall be the fee for the appropriate category as specified in Appendix B D. For licenses covering more than one material use category, the fee shall be 100% of the highest fee for a material use category for which a license-is-sought fee is due, plus 30% of the fee listed for each other material use category for which a license-is-sought fee is due.

3) Multiple use locations: For additional permanent jobsites where

radioactive material is stored or used under the same license, the applicant must submit 20% of the applicable material use category fee for each additional site. The total additional fee submitted for multiple use locations shall not exceed 100% of the application fee for that material use category.

4) The license fees listed in Appendix B D are assessed for the term of the license.

5) A licensee requesting renewal of a license shall pay the license fees specified in Appendix B D that will be in effect upon the expiration date of the license. Applications for new licenses or amendments will be assessed fees specified in Appendix B D based upon the date the application is received in the Department.

AGENCY NOTE: Although 32 Ill. Adm. Code 330.330 requires licensees to request renewal of a license not less than 30 days prior to the expiration of the existing license, renewal fees will be calculated based upon the fees in effect on the expiration date of the license.

6) An educational institution (as defined in Section 331.30) that seeks or has a license authorizing possession and use of radioactive material for human use or remunerated services to others shall pay 100% of the highest fee category for which a fee is due. For licenses covering more than one human use or remunerated service category, the fee shall be 100% of the highest fee for a material use category for which a fee is due, plus 30% of the fee listed for each other material use category for which a fee is due. This fee will be assessed beginning with the first licensing action taken after August 1, 1994.

b) For licenses that Appendix B D specifies are to be assessed fees based on full cost of review, fees shall be assessed for all evaluations, inspections, amendments (including minor amendments and amendments to terminate a license) and for monitoring of unlicensed properties contaminated with byproduct material (as defined in 32 Ill. Adm. Code 332.20) and assessing the decommissioning and decontamination activities at such properties. Fees based on full cost license reviews shall be paid as follows:

1) ~~Effective January 1, 1991, for~~ For license categories based on full cost review, the licensee will be billed quarterly or when the Department has incurred \$25,000 in unpaid full cost expenses (as defined in Section 331.200(c)(7) in excess of the amount of the deposit, whichever is earlier. Each bill will identify the applications and the costs related to each. Payment is due within 45 days of receipt of the bill.

2) ~~Effective January 1, 1991, when~~ For the first application, other than an application for a minor amendment, ~~is~~ received from a licensee after August 1, 1994, for which Appendix B D specifies that the review charges are based on full costs, the applicant shall submit the deposit prescribed in Appendix B D of this Part. Licensees that already have adequate deposits on file with the Department are not required to resubmit a deposit. The licensee

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will be billed quarterly or when the Department has incurred \$25,000--in unpaid full cost expenses (as defined in Section 331.200(c)) in excess of the amount of the deposit, whichever is earlier. Each bill will identify the applications and the costs related to each. Payment is due within 45 days of receipt of the bill.

3) Applications for minor amendments to licenses subject to full cost reviews as specified in Appendix B D, shall pay those fees identified as minor amendment fees at the time the amendment is filed with the Department.

c) For evaluations of new sealed sources and devices, and amendments to existing sealed sources and device evaluations, fees shall be assessed based on the full cost of review. ~~Beginning on the effective date of this amendment, each~~ Each application for an evaluation of a new sealed source or device, or for an amendment to an existing sealed source or device evaluation, shall be accompanied by a deposit in the amount of \$500.00. The applicant will be billed quarterly or when the Department has incurred \$500--in unpaid full cost expenses, as defined in Section 331.200, whichever is earlier or issued a refund upon the completion of the review. Each bill will identify the applications and the costs related to each. Payment is due within 45 days of receipt of the bill.

d) Adding material use categories:

1) An application for amendment to a materials license that would add a material use category with a lower license fee must be accompanied by the total fee due for each new material use category as determined by the following formula:

$$F = 0.06 * N * L$$

where

F = Total fee due.

N = Number of years remaining on the license (partial

years count as one full year in this calculation).

L = License fee for the new material use category.

2) An application for amendment to a materials license that would add a material use category with a higher fee must be accompanied by the total fee due as determined by the following formula:

$$F = (0.2 * H * N) - (0.14 * L * N)$$

where

F = Total fee due.

N = Number of years remaining on the license (partial

years count as one full year in this calculation).

H = Higher fee required by new material use category.

L = Highest license fee for a material use category

currently authorized by the license.

e) Adding multiple use locations: An application for amendment to a materials license that would increase the number of permanent jobsites

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must be accompanied by the ~~total~~ total fee due as determined by the following formula:

$$F = 0.04 * H * N * J$$

where

F = Total fee due.

N = Number of years remaining on the license (partial

years count as one full year in this calculation).

H = The highest material use category applicable to the

intended use of material at the new permanent jobsite.

J = The number of permanent jobsites to be added. If

there are 5 or more permanent jobsites, then J is

equal to 5.

AGENCY NOTE: Although a licensee may have more than 5 permanent jobsites, the maximum additional fee for multiple permanent jobsites is the license fee for the highest material use category applicable at the permanent jobsite.

f) Reciprocity fees: Each application for reciprocal recognition of an out-of-state license under 32 Ill. Adm. Code 330.900(a)(1) or (b)(1) shall be accompanied by a remittance of 20% of the license fee for the applicable material use category indicated in Appendix B D of this Part. However, such fee is not required if the applicant has paid to the Department a reciprocity fee for that license within 12 months prior to the date of commencement of the proposed activity and the proposed activity will not extend past 12 months from the receipt of the reciprocity fee the applicant has paid.

g) Fee payments: Payments shall be by check or money order made payable to the Illinois Department of Nuclear Safety.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 331.130 Refunds

The following rules will be followed by the Department when calculating refunds to licensees and applicants for materials licenses:

a) For licenses for which a fixed fee is prescribed in Appendix B D, in the event that the Department terminates a license at the request of the licensee prior to the expiration date, the Department will issue a prorated refund of the license fees for each remaining full year for which the license fee was paid.

b) For licenses for which a fixed fee is prescribed in Appendix B D, in the event that the applicant withdraws, or the Department abandons or denies an application prior to issuance of the license document, the Department will issue a refund totalling 80% of the total fee submitted for that license action.

c) For licenses for which the license fee is based on full cost review, and for applications for sealed source and device evaluations, in the event that the applicant withdraws, or abandons, or the Department denies an application prior to issuance of the evaluation sheet or

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initial license, the Department will issue a refund totalling the deposit submitted for that application minus the full cost expenses incurred but not paid by the applicant. In the event the expenses incurred exceed the deposit, the applicant will be billed for the unpaid balance of full cost expenses as defined in Section 331.200. Each bill will identify the application and the related costs. Payment is due within 45 days of receipt.

- d) For licenses for which the fee is based on full cost review, and for sealed source and device evaluations, upon termination of the license or issuance of a sealed source or device evaluation sheet, the Department will issue a refund totalling the deposit submitted, minus any outstanding full cost expenses. In the event that expenses incurred exceed the deposit, the applicant will be billed for the unpaid balance of full cost expenses as defined in Section 331.200. Each bill will identify the applications and the related costs. Payment is due within 45 days of receipt.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 331.200 Full Cost of Review

Fees for licenses, amendments, amendments to terminate a license, renewals, evaluations for new sealed sources and devices, and amendments to existing sealed source and device evaluations, which are to be based on the full cost of review will be calculated based on the following:

- the time required by Departmental professional staff to conduct the review, including license file review, travel time, correspondence preparation, and supervisory and management review of specific actions, multiplied by the rate of \$75.00 \$90.00 per hour; and
- the time required by Departmental professional staff to conduct inspections or perform confirmatory environmental monitoring, including license file review, travel time, correspondence preparation, and supervisory and management review of specific actions, multiplied by the rate specified in subsection (a) above; and
- for licenses authorizing the possession and use of source material (as defined in 32 Ill. Adm. Code 310.20) and byproduct material (as defined in 32 Ill. Adm. Code 332.20), the Department's cost for overseeing decontamination activities at unlicensed properties contaminated with byproduct material, including, but not limited to, travel time, correspondence preparation, supervisory and management review of specific actions, multiplied by the rate specified in subsection (a) above; and
- the cost of standard lab equipment and supplies, special environmental monitoring equipment and servicing of such equipment; and
- the contractual support service costs, if any, incurred by the Department in conjunction with the review, inspections, and confirmatory environmental monitoring activities.

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AGENCY NOTE: These support service costs may include, but are not limited to, rental of specialized equipment, acquisition of additional professional expertise not available within the Department, and laboratory fees charged to the Department.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 331. APPENDIX B Fee Schedule For Radioactive Material Licenses (Repealed)

MATERIAL-USE-CATEGORIES

PBB-PAYABLE:

Jan-1-Dec-31 1991 Jan-1-Dec-31 Jan-1-1993
--1992 --and-after

101

Radioactive-Material--as-defined
in-32-III--Adm--Code-310:201

A--Type-A-Broad-Scope-Manu-
facturing-and-Distribution

---licenses--fes

specified-in-32-III-

Adm--Code-330:3701

for-possession-and

use-of-radioactive

material-and-for-pro-

cessing-or--manufacturing

radioactive-material-or-

items-containing-radio-

active-material-for

commercial-distribution

including-but-not-limited

to-manufacturing-of-a

chemical-mixture.

compound--solution-or

alloy-which-is-listed

in-32-III--Adm--Code

330:301

License-Fee: \$137,562

\$167,274

\$19,529

B- Other-Manufacturing

and-Distribution---

licenses-for-pos-

session-and-use

of-radioactive

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material-and-for
processing-or-
manufacturing
radioactive
material-or-
items-containing
radioactive
material-for
commercial-dis-
tribution-including
but-not-limited
to-manu-
facturing-of-a
chemical-mix-
ture-compound,
solution-or-alloy
which-is-listed
in-32-III-Adm.
Code-330-30-

License-Fee: \$-7,290

\$-0,7740

\$10,7490

E- Distribution---
licenses-authorizing
distribution-of-radio-
active-material-or
items-containing
radioactive-mat-
erial-not-in-
volving-pro-
cessing-or-manu-
facturing-of-radio-
active-material

License-Fee: \$-2,7400

\$-2,7906

\$-3,7509

D- Category-I
irradiator---
licenses-for-poss-
ession-and-use-of
radioactive-mat-
erial-as-sealed
sources-in-a
Category-I
irradiator

License-Fee: \$-1,7395

\$-1,7554

\$-1,7865

E- Category-III

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III-or-IV
irradiator---
licenses-for
possession-and
use-of-less-than
10,000-curies-of
radioactive-mat-
erial-as-sealed
sources-in-a-Cat-
egory-III-Category
III-or-Category-IV
irradiator

License-Fee: \$-4,7231

\$-5,7077

\$-6,7093

F- Category-III
III-or-IV
irradiator---
licenses-for-poss-
ession-and-use-of
10,000-curies-or
more-of-radio-
active-material
as-sealed-sources
in-a-Category-III
Category-III-or
Category-IV
irradiator

License-Fee: \$-0,206

\$-0,7943

\$11,7932

G- Type-A-Broad-Scope
Research-and-Develop-
ment---licenses
as-specified-in
32-III-Adm-Code
330.2707-for-poss-
ession-and-use-of
radioactive-mat-
erial-for-research
and-development
that-do-not
authorize-comm-
ercial-dis-
tribution

License-Fee: \$-3,7404

\$-4,7101

\$-5,7017

H- Other-Research-and

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Development---
 licenses-for-poss-
 session-and-use-of
 radioactive-mat-
 erial-for-research
 and-development
 that-do-not
 authorize-comm-
 ercial-dist-
 ribution

License-Per: \$-27699

\$-37239

\$-37006

R: Service---

licenses-that
 authorize-services-for
 other-licenses
 including-but
 not-limited-to
 leak-testing-and
 instrument-cal-
 ibration-but-not
 including-waste
 disposal-trans-
 portation-or
 radioactive
 waste-broker
 services

License-Per: \$-37629

\$-47355

\$-57226

R: Gas-Chromato-
 graphs-and-X-Ray
 Fluorescence
 Analyzers---
 licenses-for-poss-
 session-and-use-of
 radioactive-mat-
 erial-in-sealed
 sources-or
 detectors-for
 use-in-gas
 chromatographs
 and-X-ray-phot-
 oessence-analyzers

License-Per: \$-17000

\$-17200

\$-17440

R: Other---all

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specific-radio-
 active-material
 licenses-not
 specified-else-
 where-in-this
 fee-schedule
 including-but
 not-limited-to
 licenses-for-poss-
 session-and-use-of
 radioactive-mat-
 erial-in-sealed
 sources-for-use
 in-fixed-and
 portable-gauges

License-Per: \$-27477

\$-27972

\$-37567

102

Wireline-Service-Operations
 as-defined-in-32-III-
 Admin-Code-351-207

A: Wireline-Service-Oper-
 ations---licenses-speci-
 fically-authorizing-use
 of-radioactive-materi-
 al-wireline-services
 well-surveys-and
 tracer-studies-other
 than-field-flooding
 tracer-studies

License-Per: \$-37290

\$-37550

\$-47749

B: Field-Flood-Studies---
 licenses-specific-
 authorizing-use-of
 radioactive-materi-
 al-wireline-services
 well-surveys-and
 tracer-studies-other
 than-field-flooding
 tracer-studies

License-Per: \$-67596

\$-77915

\$-97498

103

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Industrial-Radiography-(as-defined in 32-Ill-Adm-Code-350)
 Industrial-Radiography-at-Permanent-and temporary-jobsites--licenses-specifically authorizing-use-of-radioactive-material-for industrial-radiography-at-permanent-or temporary-jobsites

License-Fee: \$-07336

\$107003

\$127004

104

Human-use-of-radioactive-material

A- Type-A-Broad-Scope Medical-and-Teletherapy---licenses (as-specified-in-32-Ill-Adm-Code-330-270) authorizing-human-use of-radioactive-material including-research-and development-including use-of-radioactive-material-in-sealed-sources contained-in-teletherapy devices-for-human-use-of radioactive-material-and for-the-irradiation-of other-items

License-Fee: \$-07344

\$-77613

\$-97135

B- Teletherapy--- licenses-for-possession-and-use-of radioactive-material-as-sealed-sources contained-in-teletherapy-devices-for medical-use-of radioactive-material-and-for-the irradiation-of other-items

License-Fee: \$-47100

\$-57002

\$-67002

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C- Medical-Use--- licenses-for-human use-of-radioactive material-except licenses-for-radioactive-material-in sealed-sources-contained-in-teletherapy devices-and-Type-A specific-license-of broad-scope

License-Fee: \$-37433

\$-47120

\$-47944

D- Diagnostic-Medical Use---licenses-restricted-to-only-the-diagnostic human-use-of-radioactive material-listed-in-32-Ill-Adm-Code-335-SUBPART-B-uptaker Blunt-and-Excretion; SUBPART-B-Imaging-and Localization; SUBPART-C-Sealed-Sources for-Diagnosis-and-in-vitro-kits-except-as specified-in-32-Ill-Adm-Code-330-230(f);

License-Fee: \$-27477

\$-27972

\$-37567

E- Limited-Medical Use---licenses restricted-to-only-the human-use-of-radioactive-material specified-in-32-Ill-Adm-Code-335-SUBPART-B+

License-Fee: \$-1622

\$-1746

\$-1095

105

General-licenses

General-licenses-(as-specified-in 32-Ill-Adm-Code-330-230(f))

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License-Fee: \$--510 \$--622 \$--746

106

Source-Material-as-defined-in-32
Hlt-Adm--Code-310-20-and-Byproduct
Material-as-defined-in-32-Hlt-Adm-
Code-332-20

A: Possession-and
Use-of-Source-and
Byproduct-Mat-
erial--licenses
for-possession-and
use-of-source-mat-
erial-in-recovery
operations-such-as
milling-in-situ
teaching--heap-
teaching--ore
buying-stations
ion-exchange
facilities-and-in
processing-of-ores
containing-source
material-for
extraction-of-metals
other-than-uranium
or-thorium-including
licenses-authorizing
the-possession-of
byproduct-waste-mat-
erial-facilities-from
source-material-re-
covery-operations-as
well-as-licenses
authorizing-the-pos-
session-and-maintenance
of-a-facility-in-a
standby-mode

License/Amendment-Fee: \$257.000
Deposit
+-Pmtt
Cost
\$--300
\$--360

B: Possession-and-use

of-source-mat-
erial--licenses
for-possession-and
use-of-source-mat-
erial-which-regulate
a-specific-radio-
active-materials
license-which-does
not-include-licenses
authorizing-manu-
facture-and-dis-
tribution-of-source
material-which-does
not-include-specific
licenses-authorizing
source-material-used
for-shielding-or-source
material-authorized-for
use-in-manufacturing
operations-as-described
in-Material-Use-Cate-
gories-I-II-and-B:

License/Amendment-Fee: \$257.000
Deposit
+-Pmtt
Cost
\$--350
\$--360

107

Radioactive-Material-Waste-Disposal

A: Low-Level-Radio-
active-Waste-Disposal
facilities--licenses
issued-pursuant-to
32-Hlt-Adm-Code
601-specifically
authorizing-the
disposal-of-low-
level-radioactive
waste-away-from-the
point-of-generation

License/Amendment-Fee: \$257.000
Deposit
+-Pmtt
\$--360

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Cost Cost
Minor Amendment Fee: \$--250 \$--300 \$--360

B- Radioactive-Waste
Treatment
Facilities---
licenses specifically
authorizing the receipt
of radioactive waste
material from other
persons for treatment
and transfer to a
person authorized to
receive or dispose of
the material.

License Fee: \$15,925

\$19,710

\$22,932

C- Radioactive-Waste
Broker---licenses
specifically author-
izing the receipt
of packaged
radioactive waste
material from other
persons. The licensee
will dispose of the
material by transfer
to a person authorized
to receive or dispose
of the material.

License Fee: \$-6,917

\$-8,300

\$-9,960

B- Other-Radioactive
Waste---licenses
for other waste
disposal metho-
dologies (e.g. 7
32-III-Adm-Code
340-3020-autho-
rization).

License Amendment Fee: \$25,000
Deposit
+ Paid
Cost

\$25,000
Deposit
+ Paid
Cost

\$25,000
Deposit
+ Paid
Cost

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Minor Amendment Fee: \$--250 \$--300 \$--360

100

Nuclear-Boundries---licenses for
commercial collection and laundering
of items contaminated with radio-
active material.

License Fee: \$-5,603

\$-6,020

\$-6,713

109

Decontamination-Facilities---
licenses that authorize receipt of
items contaminated with radioactive
material for the purpose of decon-
taminating such items.

License Fee: \$-6,020

\$-6,713

\$-7,020

AGENCY NOTE: The Department anticipates that at some point after January 1, 1993, it will be necessary to increase fees and revise the fee schedule accordingly. However, until such revision is promulgated by rulemaking, the fees in effect on January 1, 1993, will remain in effect.

(Source: Repealed at 18 Ill. Reg. _____, effective _____)

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Section 331.APPENDIX D Fee Schedule For Radioactive Material Licenses

MATERIAL USE CATEGORIES

FEE PAYABLE:
August 1, 1994

101

Radioactive Material (as defined in 32 Ill. Adm. Code 310.20)

A. Type A Broad Scope Manufacturing and/or Distribution - licenses (as specified in 32 Ill. Adm. Code 330.270) for possession and use of radioactive material for processing or manufacturing radioactive material or items containing radioactive material for commercial distribution, including, but not limited to, manufacturing of a chemical mixture, compound, solution or alloy which is listed in 32 Ill. Adm. Code 330.30:

License Fee:

\$19,529

B. Other Manufacturing and/or Distribution - licenses for possession and use of radioactive material and for processing or manufacturing radioactive material or items containing radioactive material for commercial distribution, including, but not limited to, manufacturing of a chemical mixture, compound, solution or alloy which is listed in 32 Ill. Adm. Code 330.30:

License Fee:

\$10,498

C. Distribution - licenses authorizing distribution of radioactive material or items containing radioactive material, not involving processing or manufacturing of radioactive material:

License Fee:

\$ 3,583

D. Category I Irradiator - licenses for possession and use of radioactive material as sealed sources in a Category I irradiator:

License Fee:

\$ 1,865

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MATERIAL USE CATEGORIES

FEE PAYABLE:
August 1, 1994

E. Category II, III or IV Irradiator - licenses for possession and use of less than 10,000 curies of radioactive material as sealed sources in a Category II, Category III or Category IV irradiator:

License Fee:

\$ 6,093

F. Category II, III or IV Irradiator - licenses for possession and use of 10,000 curies or more of radioactive material as sealed sources in a Category II, Category III or Category IV irradiator:

License Fee:

\$11,932

G. Type A Broad Scope Research and Development - licenses (as specified in 32 Ill. Adm. Code 330.270) for possession and use of radioactive material for research and development that do not authorize commercial distribution:

License Fee:

\$ 5,017

H. Other Research and Development - licenses for possession and use of radioactive material for research and development that do not authorize commercial distribution:

License Fee:

\$ 3,886

I. Services - licenses that authorize services for other licensees, including, but not limited to, leak testing, instrument calibration and sample analysis, but not including waste disposal transportation or radioactive waste broker services:

License Fee:

\$ 5,226

J. Gas Chromatographs and X-Ray Fluorescence Analyzers - licenses for possession and use of radioactive material in sealed sources or detector cells for use in gas chromatographs and x-ray fluorescence analyzers:

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MATERIAL USE CATEGORIES

FEE PAYABLE:
August 1, 1994

License Fee:

\$ 1,440

K. Other - all other specific radioactive material licenses not specified elsewhere in this fee schedule, including, but not limited to, licenses for possession and use of radioactive material in sealed sources for use in fixed and portable gauges:

License Fee:

\$ 3,567

102

Wireline Service Operations (as defined in 32 Ill. Adm. Code 351)

A. Wireline Service Operations - licenses specifically authorizing use of radioactive material for wireline services, well surveys and tracer studies other than field flooding tracer studies:

License Fee:

\$ 4,749

B. Field Flood Studies - licenses specifically authorizing use of radioactive material for wireline services, well surveys, tracer studies or field flood tracer studies:

License Fee:

\$ 9,498

103

Industrial Radiography (as defined in 32 Ill. Adm. Code 350)

Industrial Radiography at Permanent and Temporary Jobsites - licenses specifically authorizing use of radioactive material for industrial radiography at permanent or temporary jobsites:

License Fee:

\$12,004

104

Human use of radioactive material

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MATERIAL USE CATEGORIES

FEE PAYABLE:
August 1, 1994

A. Type A Broad Scope Medical and Teletherapy - licenses (as specified in 32 Ill. Adm. Code 330.270) authorizing human use of radioactive material, including research and development, including use of radioactive material in sealed sources contained in teletherapy devices for human use of radioactive material and for the irradiation of other items:

License Fee:

\$ 9,135

B. Teletherapy - licenses for possession and use of radioactive material as sealed sources contained in teletherapy devices for medical use of radioactive material and for the irradiation of other items:

License Fee:

\$ 6,002

C. Medical Use - licenses for human use of radioactive material, except licenses for radioactive material in sealed sources contained in teletherapy devices and Type A specific license of broad scope:

License Fee:

\$ 4,944

D. Diagnostic Medical Use - Licenses restricted to only the diagnostic human use of radioactive material listed in 32 Ill. Adm. Code 335.SUBPART D: UPTAKE, DILUTION AND EXCRETION; SUBPART E: IMAGING AND LOCALIZATION; SUBPART G: SEALED SOURCES FOR DIAGNOSIS; and in vitro kits, except as specified in 32 Ill. Adm. Code 330.220(f):

License Fee:

\$ 3,567

E. Limited Medical Use - licenses restricted to only the human use of radioactive material specified in 32 Ill. Adm. Code 335.SUBPART D: UPTAKE, DILUTION AND EXCRETION:

License Fee:

\$ 895

105

General Licenses

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MATERIAL USE CATEGORIES

General licenses (as specified in 32 Ill. Adm. Code 330.220(f))

License Fee:

106

Source Material (as defined in 32 Ill. Adm. Code 310.20) and Byproduct Material (as defined in 32 Ill. Adm. Code 332.20)

A. Possession and Use of Source and Byproduct Material - licenses for possession and use of source material in recovery operations such as milling, in-situ leaching, heap-leaching, ore buying stations, ion exchange facilities and in processing of ores containing source material for extraction of metals other than uranium or thorium, including licenses authorizing the possession of byproduct waste material (tailings) from source material recovery operations as well as licenses authorizing the possession and maintenance of a facility in a standby mode:

License/Amendment Fee:

Minor Amendment Fee:

B. Possession and use of source material - licenses for possession and use of source material that require a specific radioactive materials license. This does not include licenses authorizing manufacture and distribution of source material. This does not include specific licenses authorizing source material used for shielding or source material authorized for use in manufacturing operations as described in Material Use Categories 101A and B:

License/Amendment Fee:

Minor Amendment Fee:

FEE PAYABLE:
August 1, 1994

\$ 746

\$25,000 Deposit
+ Full Cost

\$ 360

\$25,000 Deposit
+ Full Cost

\$ 360

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MATERIAL USE CATEGORIES

107

Radioactive Waste

A. Low-Level Radioactive Waste Disposal Facilities - licenses issued pursuant to 32 Ill. Adm. Code 601 specifically authorizing the disposal of low-level radioactive waste away from the point of generation:

License/Amendment Fee:

Minor Amendment Fee:

\$25,000 Deposit
+ Full Cost

\$ 360

B. Low-Level Radioactive Waste Treatment Facilities - licenses specifically authorizing the receipt of low-level radioactive waste material from other persons for treatment away from the point of generation, and transfer to a person authorized to receive or dispose of the material:

License/Amendment Fee:

Minor Amendment Fee:

\$25,000 Deposit
+ Full Cost

\$ 360

C. Centralized Low-Level Radioactive Waste Storage Facilities - licenses specifically authorizing the receipt of low-level radioactive waste material from other persons for storage away from the point of generation, and transfer to a person authorized to receive or dispose of the material:

License/Amendment Fee:

Minor Amendment Fee:

\$25,000 Deposit
+ Full Cost

\$ 360

D. Other Low-Level Radioactive Waste - licenses authorizing other methodologies for disposal of low-level radioactive waste:

License/Amendment Fee:

\$10,000 Deposit
+ Full Cost

FEE PAYABLE:
August 1, 1994

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MATERIAL USE CATEGORIES

FEE PAYABLE:
August 1, 1994

Minor Amendment Fee:

\$ 360

108

Nuclear Laundries - licenses for commercial collection and laundering of items contaminated with radioactive material:

License Fee:

\$ 8,183

109

Decontamination Facilities - licenses that authorize receipt of items contaminated with radioactive material for the purpose of decontaminating such items:

License/Amendment Fee:

\$10,000 Deposit
+ Full Cost

Minor Amendment Fee:

\$ 360

(Source: Added at 18 Ill. Reg. _____, effective _____)

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1) Heading of the Part: HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

2) Code Citation: 35 Ill. Adm. Code 720

3) Section numbers: Adopted action:

720.111 Amendment
 720.122 Amendment

4) Statutory authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 27].

5) Effective date of amendments: July 29, 1994

6) Does this rulemaking contain an automatic repeal date?: No.

7) Do these amendments contain incorporations by reference?

Yes. 35 Ill. Adm. Code 720.111 constitutes the central listing of incorporations by reference for all documents referenced throughout 35 Ill. Adm. Code 700 through 730, 738, and 739. The federal amendments upon which this proceeding is based updated a number of the documents incorporated in Section 720.111, thus resulting in amendments to that Section. Additionally, amendments were necessary to references to those documents and Section 720.111 in various locations in Parts 703, 721, 724, 725, 726, and 728.

8) Date filed in Board's principal office: Order adopted June 23, 1994.

9) Notice of proposal published in Illinois Register:

May 6, 1994, at 18 Ill. Reg. 6553

10) Has JCAR issued a Statement of Objections to these rules? No.

Section 22.4(a) of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1022.4(a)) [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version: None.

12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?

Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

first notice or to second notice review by JCAR. However, as indicated above, during the public comment period JCAR staff informally submitted questions and suggestions on the proposed amendments in larger proceeding of which this rulemaking is a part. The Board incorporated changes to the amendments based on the JCAR comments, but JCAR made no comments or suggestions with regard to this part.

13) Will these amendments replace an emergency amendments currently in effect?
No.

14) Are there any other amendments pending on this Part? No.

15) Summary and purpose of amendments:

A more detailed description is contained in the Board's opinion of June 30, 1994 in R94-7, which Opinion is available from the address below. Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

The broader proceeding, of which this notice is a single part, updates 35 Ill. Adm. Code 703, 720, 721, 724, 725, 726, and 728 of the Illinois RCRA Subtitle C rules to correspond with amendments adopted by U.S. EPA that appeared in the Federal Register during the period, U.S. EPA undertook four regulatory actions under its RCRA Subtitle C Regulations, as follows:

58 Fed. Reg. 38816, July 20, 1993: Revision of "Guideline on Air Quality Models" and codification as 40 CFR 51, appendix W; amendment of all references to the guideline in BIF rules

58 Fed. Reg. 42466, Aug. 9, 1993: Determination not to list four large-volume wastes from Coal-fired electric utility power plants as Subpart D listed hazardous wastes (not resulting in regulatory amendments)

58 Fed. Reg. 46040, Aug. 31, 1993: Update of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", EPA Publication SW-846, to third edition, and amendments to incorporations by reference

58 Fed. Reg. 59598, Nov. 9, 1993: Amendment of the health-based standards for qualifying for the Bevill exemption from regulation for BIF residues

The U.S. EPA action of July 20, 1993 was actually an air pollution control rulemaking that incidentally impacted the RCRA Subtitle C corrective actions. Formerly incorporated into the federal regulations by reference, U.S. EPA has updated and codified its "Guideline on Air Quality Models (Revised)" and its two supplements in the federal air regulations. U.S. EPA simultaneously amended several references to the Guideline, including those in the RCRA Subtitle C regulations that pertain to boilers and

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industrial furnaces (BIFs) that burn hazardous wastes. U.S. EPA also amended the "Screening Procedures for Estimating Air Quality Impact of Stationary Sources, Revised" to later version.

U.S. EPA amended the analytical procedures applicable to RCRA Subtitle C-regulated hazardous wastes on August 31, 1993. U.S. EPA updated "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-846 to its third edition with one update. U.S. EPA amended various appendices to refer to the SW-846 method. U.S. EPA also added a bomb-acid digestion method for analyzing waste-derived fuel and deleted an analytical method for chlorinated dibenzodioxins and dibenzofurans.

U.S. EPA adopted regulations for the burning of hazardous waste in boilers and industrial furnaces (the BIF rules) on February 21, 1991. Those regulations included two tests for determining whether the residues derived from Bevill devices, such as kilns, primary smelters, boilers, etc. were exempted from hazardous waste regulation. The first test is whether the levels of hazardous constituents was not significantly higher than the normal residue of combustion. The second test is whether levels of contaminants in the residues do not exceed specified health-based levels. On November 9, 1993, U.S. EPA amended the Bevill exclusion by amending the second, health-based levels, test. U.S. EPA substituted the land disposal restriction contaminant levels for F039 nonhazardous waste from part 268 for the health-based levels. U.S. EPA amended its regulations to stay the effect of the levels listed in appendix VII until further federal action. Further, U.S. EPA has provided that an owner or operator has demonstrated a good-faith effort to detect a constituent, it is deemed in compliance with the alternative levels.

The Board followed the federal leads and amended the Illinois RCRA Subtitle C regulations accordingly. In addition to the federally-derived amendments, the Board made a number of "housekeeping" amendments, revising codification style and making a small number of corrections. We changed references to the United States Environmental Protection Agency "U.S. EPA". We further began to refer to the "U.S. EPA hazardous waste number" and "U.S. EPA document number" for similar clarity. The Board also continued our move toward presentation of equations and expressions in standard scientific notation. Finally, the Board also used this opportunity to make a number of corrections to punctuation, grammar, and cross-reference format throughout the opened text.

In particular, the amendments to 35 Ill. Adm. Code 720 result from the updated federal methods. This action also includes a number of corrective amendments.

16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Attorney
Illinois Pollution Control Board
100 W. Randolph 11-500
Chicago, IL 60610
312-814-6924

The full text of the adopted amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 720

HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

U.S. A: GENERAL PROVISIONS

Section

720.101 Purpose, Scope and Applicability
720.102 Availability of Information; Confidentiality of Information
720.103 Use of Number and Gender

U.S. B: DEFINITIONS

Section

720.110 Definitions
720.111 References

U.S. C: RULEMAKING PETITIONS AND OTHER PROCEDURES

Section

720.120 Rulemaking
720.121 Alternative Equivalent Testing Methods
720.122 Waste Delisting
720.130 Procedures for Solid Waste Determinations
720.131 Solid Waste Determinations
720.132 Boiler Determinations
720.133 Procedures for Determinations
720.140 Additional regulation of certain hazardous waste Recycling Activities
on a case-by-case Basis
720.141 Procedures for case-by-case regulation of hazardous waste Recycling Activities

APPENDIX A Overview of 40 CFR, Subtitle C Regulations

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027) [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective as noted in 35 Ill. Adm. Code 700.106; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-19 at 7 Ill. Reg. 14015, effective Oct. 12, 1983; amended in R84-9, 53 PCB 131 at 9 Ill. Reg. 11819, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 968, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 13998, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20630,

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effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6017, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13435, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19280, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2450, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 12999, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 362, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18278, effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3075, effective February 20, 1990; amended in R89-9 at 14 Ill. Reg. 6225, effective April 16, 1990; amended in R90-10 at 14 Ill. Reg. 16450, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7934, effective May 9, 1991; amended in R90-111 at 15 Ill. Reg. 9323, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14446, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9489, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17636, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5625, effective March 26, 1993; amended at 17 Ill. Reg. 20545, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6720, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. _____, effective _____.

Section 720.111 References

a) The following publications are incorporated by reference:

ANSI. Available from the American National Standards Institute, 1430 Broadway, New York, New York 10018, (212) 354-3300:

ANSI B31.3 and B31.4. See ASME/ANSI B31.3 and B31.4

ACI. Available from the American Concrete Institute, Box 19150, Redford Station, Detroit, Michigan 48219:

ACI 318-83: "Building Code Requirements for Reinforced Concrete", adopted September, 1983.

API. Available from the American Petroleum Institute, 1220 L Street, N.W., Washington, D.C. 20005, (202) 682-8000:

"Guide for Inspection of Refinery Equipment, Chapter XIII, Atmospheric and Low Pressure Storage Tanks," 4th Edition, 1981, reaffirmed December, 1987.

"Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems," API Recommended Practice 1632, Second Edition, December, 1987.

"Installation of Underground Petroleum Storage Systems," API Recommended Practice 1615, Fourth Edition, November, 1987.

APTI. Available from the Air and Waste Management Association, Box 2861, Pittsburgh, PA 15230, (412) 232-3444:

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APTI Course 415: Control of Gaseous Emissions, EPA Publication EPA-450/2-81-005, December, 1981.

ASME. Available from the American Society of Mechanical Engineers, 345 East 47th Street, New York, NY 10017, (212) 705-7722:

"Chemical Plant and Petroleum Refinery Piping", ASME/ANSI B31.3 - 1987, as supplemented by B31.3a - 1988 and B31.3b - 1988. Also available from ANSI.

"Liquid Transportation Systems for Hydrocarbons, Liquid Petroleum Gas, Anhydrous Ammonia, and Alcohols", ASME/ANSI B31.4 - 1986, as supplemented by B31.4a - 1987. Also available from ANSI.

ASTM. Available from American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103, (215) 299-5400:

ASTM C94-90, Standard Specification for Ready-Mixed Concrete, approved March 30, 1990.

ASTM D88-87, Standard Test Method for Saybolt Viscosity, April 24, 1981, reapproved January, 1987.

"ASTM D93-85, Standard Test Methods for Flash Point by Pensky - Martens Closed Tester, approved October 25, 1985.

ASTM D1946-90, Standard Practice for Analysis of Reformed Gas by Gas Chromatography, approved March 30, 1990.

ASTM D2161-87, Standard Practice for Conversion of Kinematic Viscosity to Saybolt Universal or to Saybolt Furol Viscosity, March 27, 1987.

ASTM D2267-88, Standard Test Method for Aromatics in Light Naphthas and Aviation Gasolines by Gas Chromatography, approved November 17, 1988.

ASTM D2382-88, Standard Test Method for Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High Precision Method), approved October 31, 1988.

ASTM D2879-86, Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, approved October 31, 1986.

ASTM D3828-87, Standard Test Methods for Flash Point of

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Liquids by Setaflash Closed Tester, approved December 14, 1988.

ASTM E168-88, Standard Practices for General Techniques of Infrared Quantitative Analysis, approved May 27, 1988.

ASTM E169-87, Standard Practices for General Techniques of Ultraviolet-Visible Quantitative Analysis, approved February 1, 1987.

ASTM E260-85, Standard Practice for Packed Column Gas Chromatography, approved June 28, 1985.

ASTM E926-88 C, Standard Test Methods for Preparing Refuse-Derived Fuel (RDF) Samples for Analysis of Metals, Bomb-Acid Digestion Method, approved March 35, 1988.

ASTM Method G21-70 (1984a) -- Standard Practice for Determining Resistance of Synthetic Polymer Materials to Fungi

ASTM Method G22-76 (1984b) -- Standard Practice for Determining Resistance of Plastics to Bacteria.

GPO. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202) 783 - 3238).

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"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," U.S. EPA Publication number SW-846 (Third Edition, September 1986), as amended by Update I (July 1992) (Document Number 955-001-00000-1).

NACE. Available from the National Association of Corrosion Engineers, 1400 South Creek Dr., Houston, TX 77084, (713) 492 - 0535:

"Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems", NACE Recommended Practice RP0285-85, approved March, 1985.

NFPA. Available from the National Fire Protection Association, Batterymarch Park, Boston, MA 02269, (617) 770 - 3000 or (800) 344-3555:

"Flammable and Combustible Liquids Code" NFPA 30, issued

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July 17, 1987. Also available from ANSI.

NTIS. Available from the U.S. Department of Commerce, National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, (703) 487-4600:

"Generic Quality Assurance Project Plan for Land Disposal Restrictions Program", EPA/530-SW-87-011, March 15, 1987. (Document number PB 88-170766.)

"Guidance on Air Quality Models", Revised 1986. (Document number PB86-245-248 (Guideline) and PB88-150-958 (Supplement)).

"Methods for Chemical Analysis of Water and Wastes", Third Edition, March, 1983. (Document number PB 84-128677).

"Methods Manual for Compliance with BIF Regulations", December, 1990. (Document number PB91-120-006).

"Petitions to Delist Hazardous Wastes--A Guidance Manual", EPA/530-SW-85-003, April, 1985. (Document Number PB 85-194488.

"Procedures Manual for Ground Water Monitoring at Solid Waste Disposal Facilities", EPA-530/SW-611, 1977. (Document number PB 84-174820).

"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources", August October, 1988 1992, (Document number Publication Number PB89-159396) EPA-450/R-92-019.

"Test Methods for Evaluating Solid Waste--Physical/Chemical Methods," EPA Publication number SW-846 (Second Edition) 1992-as-amended-by-Update-I--(April--1984)--and--Update--II (April--1985)--(Document-number-PB-87-1200391).

"Test Methods for Evaluating Solid Waste--Physical/Chemical Methods," EPA Publication number SW-846 (Third Edition) September--1986--(Document-number-PB88-239223)--as-amended-by-Revision-I--(December-1987)--and--First-Update--January--1988--(Document-Number-PB89-140076).

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"Standard for Dual Wall Underground Steel Storage Tanks" (1986).

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U.S. EPA. Available from United States Environmental Protection Agency, Office of Drinking Water, State Programs Division, WH 550 E, Washington, D.C. 20460:

"Technical Assistance Document: Corrosion, Its Detection and Control in Injection Wells", EPA 570/9-87-002, August, 1987.

U.S. EPA. Available from U.S. EPA, Number F-90-WPWF-FFFFF, Room M2427, 401 M Street SW, Washington, D.C. 20460, (202) 475-9327:

"Test Method 8290: Procedures for the Detection and Measurement of PCDDs and PCDFs", EPA/530-SW-91-019 (January, 1991)

U.S. EPA Available from Receptor Analysis Branch, U.S. EPA (MD-14), Research Triangle Park, NC 27711:

"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised", October, 1992, Publication Number EPA-450/R-92-019.

- b) Code of Federal Regulations. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401, (202) 783-3238:

10 CFR 20, Appendix B (1992)

40 CFR 51.100(ii) (1992)

40 CFR 51, Subpart W, as added at 58 Fed. Reg. 38822 (July 20, 1993)

40 CFR 60 (1992 1993)

40 CFR 61, Subpart V (1992 1993)

40 CFR 136 (1992 1993)

40 CFR 142 (1992 1993)

40 CFR 220 (1992)

40 CFR 260.20 (1992)

40 CFR 264 (1992)

40 CFR 268.Appendix IX (1992)

40 CFR 302.4, 302.5 and 302.6 (1992)

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40 CFR 761 (1991 1993)

- c) Federal Statutes

Section 3004 of the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), as amended through December 31, 1987.

- d) This Section incorporates no later editions or amendments.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 720.122 Waste Delisting

- a) Any person seeking to exclude a waste from a particular generating facility from the lists in 35 Ill. Adm. Code 721.Subpart D may file a petition, as specified in subsection (n) below. The Board will grant the petition if:

1) The petitioner demonstrates that the waste produced by a particular generating facility does not meet any of the criteria under which the waste was listed as a hazardous or acute hazardous waste; and

2) If the Board determines that there is a reasonable basis to believe that factors (including additional constituents) other than those for which the waste was listed could cause the waste to be a hazardous waste, that such factors do not warrant retaining the waste as a hazardous waste. A Board determination under the preceding sentence must be made by reliance on, and in a manner consistent with, "Petitions to Delist--A Guidance Manual", incorporated by reference in Section 720.111. A waste which that is so excluded, however, still may be a hazardous waste by operation of 35 Ill. Adm. Code 721.Subpart C.

b) Listed wastes and mixtures. A person may also petition the Board to exclude from 35 Ill. Adm. Code 721.103(a)(2)(B) or (a) (2) (C), a waste which that is described in these Sections and is either a waste listed in 35 Ill. Adm. Code 721.Subpart D, or is derived from a waste listed in that.Subpart. This exclusion may only be granted for a particular generating, storage, treatment or disposal facility. The petitioner shall make the same demonstration as required by subsection (a) above. Where the waste is a mixture of a solid waste and one or more listed hazardous wastes or is derived from one or more listed hazardous wastes, the demonstration must be made with respect to the waste mixture as a whole; analyses must be conducted for not only those constituents for which the listed waste contained in the mixture was listed as hazardous, but also for factors (including additional constituents) that could cause the waste mixture to be a hazardous waste. A waste which that is so excluded may still be a hazardous waste by operation of 35 Ill. Adm. Code 721.Subpart C.

- c) Ignitable, corrosive, reactive and toxicity characteristic wastes. If

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the waste is listed in codes "I", "C", "R" or "E" in 35 Ill. Adm. Code 721.Subpart D:

- 1) The petitioner shall demonstrate that the waste does not exhibit the relevant characteristic for which the waste was listed, as defined in 35 Ill. Adm. Code 721.121, 721.122, 721.123 or 721.124, using any applicable methods prescribed in those Sections. The petitioner shall also show that the waste does not exhibit any of the other characteristics, defined in those Sections, using any applicable methods prescribed in those Sections;
- 2) Based on a complete petition, the Board will determine, if it has a reasonable basis to believe that factors (including additional constituents) other than those for which the waste was listed could cause the waste to be hazardous waste, that such factors do not warrant retaining the waste as a hazardous waste. A Board determination under the preceding sentence must be made by reliance on, and in a manner consistent with, "Petitions to Delist--A Guidance Manual", incorporated by reference in Section 720.111. A waste which that is so excluded, however, may still be a hazardous waste by operation of 35 Ill. Adm. Code 721.Subpart C.
- d) Toxic waste. If the waste is listed in code "T" in 35 Ill. Adm. Code 721.Subpart D:
 - 1) The petitioner shall demonstrate that the waste:
 - A) Does not contain the constituent or constituents (as defined in 35 Ill. Adm. Code 721.Appendix G) that caused U.S. EPA to list the waste, using the appropriate test methods prescribed in 35-~~331~~-Adm-Code-721:Appendix-E "Test Methods for Evaluating Solid Publication SW-846, as incorporated by reference in Section 720.111; or
 - B) Although containing one or more of the hazardous constituents (as defined in 35 Ill. Adm. Code 721.Appendix G) that caused U.S. EPA to list the waste, does not meet the criterion of 35 Ill. Adm. Code 721.111(a)(3) when considering the factors used in 35 Ill. Adm. Code 721.111(a)(3)(A) through (R) under which the waste was listed as hazardous; and
 - 2) Based on a complete petition, the Board will determine, if it has a reasonable basis to believe that factors (including additional constituents) other than those for which the waste was listed could cause the waste to be hazardous waste, that such factors do not warrant retaining the waste as a hazardous waste. A Board determination under the preceding sentence must be made by reliance on, and in a manner consistent with, "Petitions to Delist--A Guidance Manual", incorporated by reference in Section 720.111.
 - 3) The petitioner shall demonstrate that the waste does not exhibit any of the characteristics, defined in 35 Ill. Adm. Code 721.121, 721.122, 721.123 or 721.124, using any applicable

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- methods prescribed in those Sections.
- 4) A waste which that is so excluded, however, may still be a hazardous waste by operation of 35 Ill. Adm. Code 721.Subpart C.
 - e) Acute hazardous waste. If the waste is listed with the code "H" in 35 Ill. Adm. Code 721.Subpart D:
 - 1) The petitioner shall demonstrate that the waste does not meet the criterion of 35 Ill. Adm. Code 111(a)(2); and
 - 2) Based on a complete petition, the Board will determine, if it has a reasonable basis to believe that factors (including additional constituents) other than those for which the waste was listed could cause the waste to be hazardous waste, that such factors do not warrant retaining the waste as a hazardous waste. A Board determination under the preceding sentence must be made by reliance on, and in a manner consistent with, "Petitions to Delist--A Guidance Manual", incorporated by reference in Section 720.111.
 - 3) The petitioner shall demonstrate that the waste does not exhibit any of the characteristics, defined in 35 Ill. Adm. Code 721.121, 721.122, 721.123 or 721.124, using any applicable methods prescribed in those Sections.
 - 4) A waste which that is so excluded, however, may still be a hazardous waste by operation of 35 Ill. Adm. Code 721.Subpart C.
 - h) Demonstration samples must consist of enough representative samples, but in no case less than four samples, taken over a period of time sufficient to represent the variability or the uniformity of the waste.
 - i) Each petition must include, in addition to the information required by subsection (n) above:
 - 1) The name and address of the laboratory facility performing the sampling or tests of the waste;
 - 2) The names and qualifications of the persons sampling and testing the waste;
 - 3) The dates of sampling and testing;
 - 4) The location of the generating facility;
 - 5) A description of the manufacturing processes or other operations and feed materials producing the waste and an assessment of whether such processes, operations or feed materials can or might produce a waste which that is not covered by the demonstration;
 - 6) A description of the waste and an estimate of the average and maximum monthly and annual quantities of waste covered by the demonstration;
 - 7) Pertinent data on and discussion of the factors delineated in the respective criterion for listing a hazardous waste, where the demonstration is based on the factors in 35 Ill. Adm. Code 721.111(a)(3);
 - 8) A description of the methodologies and equipment used to obtain the representative samples;
 - 9) A description of the sample handling and preparation techniques, including techniques used for extraction, containerization and

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preservation of the samples;

- 10) A description of the test performed (including results);
 - 11) The names and model numbers of the instruments used in performing the tests; and
 - 12) The following statement signed by the generator or the generator's authorized representative:
I certify under penalty of law that I have personally examined and am familiar with the information submitted in this demonstration and all attached documents, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.
- j) After receiving a petition, the Board may request any additional information which that the Board needs to evaluate the petition.
- k) An exclusion will only apply to the waste generated at the individual facility covered by the demonstration and will not apply to waste from any other facility.

- l) The Board will exclude only part of the waste for which the demonstration is submitted if the Board determines that variability of the waste justifies a partial exclusion.

BOARD NOTE: See "Petitions to Delist Hazardous Wastes -- A Guidance Manual", incorporated by reference in Section 720.111.

- m) Delisting of specific wastes from specific sources which that have been adopted by U.S. EPA may be proposed as State regulations which that are identical in substance pursuant to Section 720.120(a).

- n) Delistings which that have not been adopted by U.S. EPA may be proposed to the Board pursuant to a petition for adjusted standard pursuant to 35 Ill. Adm. Code 106.Subpart G. The justification for the adjusted standard is as specified in subsections (a) ~~et-seq.~~ through (g) above, as applicable to the waste in question. The petition must be clearly labeled as a RCRA delisting adjusted standard petition.

- 1) In accordance with 35 Ill. Adm. Code 106.710, the petitioner shall serve copies of the petition, and any other documents filed with the Board, on U.S. EPA at the following addresses:

U.S. EPA
Office of Solid Waste and Emergency Response
Washington, D.C. 20460

U.S. EPA, Region V
230 S. Dearborn Street
Chicago, IL 60604

- 2) The Board will mail copies of all opinions and orders to U.S. EPA at the above addresses.

- 3) In conjunction with the normal updating of the RCRA regulations, the Board will maintain, in 35 Ill. Adm. Code 721.Appendix I, a listing of all adjusted standards granted by the Board.

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- o) The Agency may determine in a permit or a letter directed to a generator that, based on 35 Ill. Adm. Code 721, a waste from a particular source is not subject to these regulations. Such a finding is evidence against the Agency in any subsequent proceedings but shall not be conclusive with reference to other persons or the Board.
- p) Any petition to delist directed to the Board or request for determination directed to the Agency must include a showing that the waste will be generated or managed in Illinois.
- q) The Board will not grant any petition which that would render the Illinois RCRA program less stringent than if the decision were made by U.S. EPA.
- r) Delistings apply only within Illinois. Generators shall comply with 35 Ill. Adm. Code 722 for waste which that is hazardous in any state to which that it is to be transported.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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1) Heading of the Part: IDENTIFICATION AND LISTING OF HAZARDOUS WASTE2) Code citation: 35 Ill. Adm. Code 7213) Section numbers: Adopted action:

721.122 Amendment

721.124 Amendment

721.Appendix B Amendment

721.Appendix C Amendment

721.Appendix J Repealed

4) Statutory authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 27].5) Effective date of amendments: July 29, 19946) Does this rulemaking contain an automatic repeal date?: No.7) Do these amendments contain incorporations by reference?

Yes. 35 Ill. Adm. Code 720.111 constitutes the central listing of incorporations by reference for all documents referenced throughout 35 Ill. Adm. Code 700 through 730, 738, and 739. The federal amendments upon which this proceeding is based updated a number of the documents incorporated in Section 720.111, thus resulting in amendments to that Section. Additionally, amendments were necessary to references to those documents and Section 720.111 in various locations in Parts 703, 721, 724, 725, 726, and 728.

8) Date filed in Board's principal office: Order adopted June 23, 1994.9) Notice of proposal published in Illinois Register:

May 6, 1994, at 18 Ill. Reg. 6526

10) Has JCAR issued a Statement of Objections to these rules? No.

Section 22.4(a) of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1022.4(a)) [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version: None.12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?

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Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR. However, as indicated above, during the public comment period JCAR staff informally submitted questions and suggestions on the proposed amendments in larger proceeding of which this rulemaking is a part. The Board incorporated changes to the amendments based on the JCAR comments, but JCAR made no comments or suggestions with regard to this Part.

13) Will these amendments replace an emergency amendments currently in effect? No.14) Are there any other amendments pending on this Part? No.15) Summary and purpose of amendments:

A more detailed description is contained in the Board's opinion of June 30, 1994 in R94-7, which Opinion is available from the address below. Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

The broader proceeding, of which this notice is a single Part, updates 35 Ill. Adm. Code 703, 720, 721, 724, 725, 726, and 728 of the Illinois RCRA Subtitle C rules to correspond with amendments adopted by U.S. EPA that appeared in the Federal Register during the period, U.S. EPA undertook four regulatory actions under its RCRA Subtitle C Regulations, as follows:

58 Fed. Reg. 38816, July 20, 1993: Revision of "Guideline on Air Quality Models" and codification as 40 CFR 51, appendix W; amendment of all references to the guideline in BIF rules

58 Fed. Reg. 42466, Aug. 9, 1993: Determination not to list four large-volume wastes from Coal-fired electric utility power plants as Subpart D listed hazardous wastes (not resulting in regulatory amendments)

58 Fed. Reg. 46040, Aug. 31, 1993: Update of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", EPA Publication SW-846, to third edition, and amendments to incorporations by reference

58 Fed. Reg. 69598, Nov. 9, 1993: Amendment of the health-based standards for qualifying for the Bevill exemption from regulation for BIF residues

The U.S. EPA action of July 20, 1993 was actually an air pollution control

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rulemaking that incidentally impacted the RCRA Subtitle C corrective actions. Formerly incorporated into the federal regulations by reference, U.S. EPA has updated and codified its "Guideline on Air Quality Models (Revised)" and its two supplements in the federal air regulations. U.S. EPA simultaneously amended several references to the Guideline, including those in the RCRA Subtitle C regulations that pertain to boilers and industrial furnaces (BIFs) that burn hazardous wastes. U.S. EPA also amended the "Screening Procedures for Estimating Air Quality Impact of Stationary Sources, Revised" to later version.

U.S. EPA amended the analytical procedures applicable to RCRA Subtitle C-regulated hazardous wastes on August 31, 1993. U.S. EPA updated "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-846 to its third edition with one update. U.S. EPA amended various appendices to refer to the SW-846 method. U.S. EPA also added a bomb-acid digestion method for analyzing waste-derived fuel and deleted an analytical method for chlorinated dibenzodioxins and dibenzofurans.

U.S. EPA adopted regulations for the burning of hazardous waste in boilers and industrial furnaces (the BIF rules) on February 21, 1991. Those regulations included two tests for determining whether the residues derived from Beville devices, such as kilns, primary smelters, boilers, etc. were exempted from hazardous waste regulation. The first test is whether the levels of hazardous constituents was not significantly higher than the normal residue of combustion. The second test is whether levels of contaminants in the residues do not exceed specified health-based levels. On November 9, 1993, U.S. EPA amended the Beville exclusion by amending the second, health-based levels, test. U.S. EPA substituted the land disposal restriction contaminant levels for F039 nonwastewaters from part 268 for the health-based levels. U.S. EPA amended its regulations to stay the effect of the levels listed in appendix VII until further federal action. Further, U.S. EPA has provided that an owner or operator has demonstrated a good-faith effort to detect a constituent, it is deemed in compliance with the alternative levels.

The Board followed the federal leads and amended the Illinois RCRA Subtitle C regulations accordingly. In addition to the federally-derived amendments, the Board made a number of "housekeeping" amendments, revising codification style and making a small number of corrections. We changed references to the United States Environmental Protection Agency "U.S. EPA". We further began to refer to the "U.S. EPA hazardous waste number" and "U.S. EPA document number" for similar clarity. The Board also continued our move toward presentation of equations and expressions in standard scientific notation. Finally, the Board also used this opportunity to make a number of corrections to punctuation, grammar, and cross-reference format throughout the opened text.

In particular, the amendments to 35 Ill. Adm. Code 721 flow from the

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federal update to SW-846. A number of corrective amendments are also involved in this part.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge
Attorney
Illinois Pollution Control Board
100 W. Randolph 11-500
Chicago, IL 60610
312-814-6924

The full text of the adopted amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 721

IDENTIFICATION AND LISTING OF

HAZARDOUS WASTE

SUBPART A: GENERAL PROVISIONS

Section	Quantity
721.101	Purpose of Scope
721.102	Definition of Solid Waste
721.103	Definition of Hazardous Waste
721.104	Exclusions
721.105	Special Requirements for Hazardous Waste Generated by Small Generators
721.106	Requirements for Recyclable Materials
721.107	Residues of Hazardous Waste in Empty Containers
721.108	PCB Wastes Regulated under TSCA

SUBPART B: CRITERIA FOR IDENTIFYING THE CHARACTERISTICS OF HAZARDOUS WASTE AND FOR LISTING HAZARDOUS WASTES

Criteria for Identifying the Characteristics of Hazardous Waste
Criteria for Listing Hazardous Waste

SUBPART C: CHARACTERISTICS OF HAZARDOUS WASTE

Section	
721.120	General
721.121	Characteristic of Ignitability
721.122	Characteristic of Corrosivity
721.123	Characteristic of Reactivity
721.124	Toxicity Characteristic

SUBPART D: LISTS OF HAZARDOUS WASTE

Section	
721.130	General
721.131	Hazardous Wastes From Nonspecific Sources
721.132	Hazardous Waste from Specific Sources
721.133	Discarded Commercial Chemical Products, Off-Specification Species, Container Residues and Spill Residues Thereof
721.135	Wood Preserving Wastes

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APPENDIX A Representative Sampling Methods

APPENDIX B Method 1311 Toxicity Characteristic Leaching Procedure (TCLP)

APPENDIX C Chemical Analysis Test Methods

TABLE A Analytical Characteristics of Organic Chemicals (Repealed)

TABLE B Analytical Characteristics of Inorganic Species (Repealed)

TABLE C Sample Preparation/Sample Introduction Techniques (Repealed)

APPENDIX G Basis for Listing Hazardous Wastes

APPENDIX H Hazardous Constituents

APPENDIX I Wastes Excluded under Section 720.120 and 720.122

TABLE A Wastes Excluded from Non-Specific Sources

TABLE B Wastes Excluded from Specific Sources

TABLE C Wastes Excluded From Commercial Chemical Products, Off-Specification Species, Container Residues, and Soil Residues Thereof

TABLE D Wastes Excluded by Adjusted Standard

APPENDIX J Method of Analysis of Chlorinated Dibenzo-p-Dioxins and Dibenzofurans (Repealed)

APPENDIX Z Table to Section 721.102

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027) [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective as noted in 35 Ill. Adm. Code 700.106; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-18, 51 PCB 31, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 13999, effective October 12, 1983; amended in R84-34, 61 PCB 247, at 8 Ill. Reg. 24562, effective December 11, 1984; amended in R84-9, at 9 Ill. Reg. 11834, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 998, effective January 2, 1986; amended in R85-2 at 10 Ill. Reg. 8112, effective May 2, 1986; amended in R86-1 at 10 Ill. Reg. 14002, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20647, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6035, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13466, effective August 4, 1987; amended in R87-32 at 11 Ill. Reg. 16698, effective September 30, 1987; amended in R87-5 at 11 Ill. Reg. 19303, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2456, effective January 15, 1988; amended in R87-30 at 12 Ill. Reg. 12070, effective July 12, 1988; amended in R87-39 at 12 Ill. Reg. 13006, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 382, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18300, effective November 13, 1989; amended R90-2 at 14 Ill. Reg. 14401, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16472, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7950, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9332, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14473, effective September 30, 1991; amended in R91-12 at 16 Ill. Reg. 2155, effective January 27, 1992; amended in R91-26 at 16 Ill. Reg. 2600, effective February 3, 1992; amended in R91-13 at 16 Ill. Reg. 9519, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17666, effective November 6, 1992;

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amended in R92-10 at 17 Ill. Reg. 5650, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20568, effective November 22, 1993; amended at 18 Ill. Reg. 6741, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. , effective

Section 721.122 Characteristic of Corrosivity

- a) A solid waste exhibits the characteristic of corrosivity if representative sample of the waste has either of the following properties:
- 1) It is aqueous and has a pH less than or equal to 2 or greater than or equal to 12.5, as determined by a pH meter using either ~~an-EPA--test--method-or-an-equivalent-test-method-(435-iii)-adm-Code-720-1211;--The-EPA-test-methods--for-pH-are-specified-as-Methods-9040-9041-or-9045~~ in "Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods", incorporated by reference in 35 Ill. Adm. Code 720.111.
 - 2) It is a liquid and corrodes steel (SAE 1020) at a rate greater than 6.35 mm (0.250 inch) per year at a test temperature of 55° C (130° F) as determined by the test method specified in NACE (National Association of Corrosion Engineers) Standard TW-01-69 as standardized in "Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods", incorporated by reference in 35 Ill. Adm. Code 720.111;--~~or-an-equivalent-test-method-(435-iii)-Adm-Code-720-1211).~~
- BOARD NOTE: The corrosivity characteristic determination currently does not apply to non-liquid wastes, as discussed by ~~HSRPA U.S.~~ EPA at 45 Fed. Reg. 33109, May 19, 1980 and at 55 Fed. Reg. 22549, June 1, 1990.
- b) A solid waste that exhibits the characteristic of corrosivity has the ~~EPA U.S.~~ EPA Hazardous Waste Number of D002.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 721.124 Toxicity Characteristic

- a) A solid waste exhibits the characteristic of toxicity if, using the test methods described in Appendix B or equivalent methods approved by the Agency under the procedures set forth in Sections 720-120 and 720-121 Toxicity Characteristic Leaching Procedure (TCLP), test Method 1311 in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", U.S. EPA Publication SW-846, as incorporated by reference in 35 Ill. Adm. Code 720.111, the extract from a representative sample of the waste contains any of the contaminants listed in the table in subsection (b) below at a concentration equal to or greater than the respective value given in that table. Where the waste contains less than 0.5 percent filterable solids, the waste itself, after filtering using the methodology outlined in Appendix B Method 1311, is

considered to be the extract for the purpose of this Section.

BOARD NOTE: Generators are required to use the ~~EPB test for~~ the hazardous waste determination under 35 Ill. Adm. Code 822.120-69 of September 25, 1990. ~~However, that is specified at 35 Ill. Adm. Code 822.120-69 of September 25, 1990.~~ ~~small quantity generators of 100 to 1000 kg/monthly as defined in 35 Ill. Adm. Code 822.107 may continue to use the EP toxicity test until March 29, 1991.~~ ~~The EP toxicity test is Method 1330 in SW 8467.~~ ~~Methods for Evaluating Solid Wastes Physical/Chemical Methods~~ incorporated by reference in 35 Ill. Adm. Code 822.107. The reference to the "EP toxicity test" in 35 Ill. Adm. Code 808.410(b)(4) is to be understood as referencing the test required by this Section.

- b) A solid waste that exhibits the characteristic of toxicity has the USEPA U.S. EPA Hazardous Waste Number specified in the following table which that corresponds to the toxic contaminant causing it to be hazardous.

MAXIMUM CONCENTRATION OF CONTAMINANTS FOR THE TOXICITY CHARACTERISTIC

Hazardous Waste Number	Contaminant	CAS No.	Note	Regula
				tory
				(mg/L)
D004	Arsenic	7440-38-2		5.0
D005	Barium	7440-39-3		100.0
D018	Benzene	71-43-2		0.5
D006	Cadmium	7440-43-9		1.0
D019	Carbon tetrachloride	56-23-5		0.5
D020	Chloroethane	57-74-9		0.03
D021	Chlorobenzene	108-90-7		100.0
D022	Chloroform	67-66-3		6.0
D007	Chromium	7440-47-3		5.0
D023	o-Cresol	95-48-7	4	200.0
D024	m-Cresol	108-39-4	4	200.0
D025	p-Cresol	106-44-5	4	200.0
D026	Cresol		4	200.0
D016	2,4-D	94-75-7		10.0
D027	1,4-Dichlorobenzene	106-46-7		7.5
D028	1,2-Dichloroethane	107-06-2		0.5
D029	1,1-Dichloroethylene	75-35-4		0.7
D030	2,4-Dinitrotoluene	121-14-2	3	0.13
D012	Endrin	72-20-8		0.02
D031	Heptachlor (and its epoxide)	76-44-8		0.08
D032	Hexachlorobenzene	118-74-1	3	0.13
D033	Hexachlorobutadiene	87-68-3		0.5
D034	Hexachloroethane	67-72-1		3.0
D008	Lead	7439-92-1		5.0

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D013	Lindane	58-89-9	0.4
D009	Mercury	7439-97-6	0.2
D014	Methoxychlor	72-43-5	10.0
D035	Methyl ethyl ketone	78-93-3	200.0
D036	Nitrobenzene	98-95-3	2.0
D037	Pentachlorophenol	87-86-5	100.0
D038	Pyridine	110-86-1	3
D010	Selenium	7782-49-2	1.0
D011	Silver	7440-22-4	5.0
D039	Tetrachloroethylene	127-18-4	0.7
D015	Toxaphene	8001-35-2	0.5
D040	Trichloroethylene	79-01-6	0.5
D041	2,4,5-Trichlorophenol	95-95-4	400.0
D042	2,4,6-Trichlorophenol	88-06-2	2.0
D017	2,4,5-TP (Silvex)	93-72-1	1.0
D043	Vinyl chloride	75-01-4	0.2

Notes to Table:

- 3 Quantitation limit is greater than the calculated regulatory level. The quantitation limit therefore becomes the regulatory level.
- 4 IF o-, m-, p-cresol concentrations cannot be differentiated, the total cresol (D026) concentration is used. The regulatory level of total cresol is 200.0 mg/L.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 721.APPENDIX B Method 1311 Toxicity Characteristic Leaching Procedure (TCLP)

The Board incorporates by reference 40-CFR-261-Appendix-III as amended at 57 Fed. Reg. 55114-55117 November 24, 1992 and 50 Fed. Reg. 6954-6954-1 This Section incorporates no future editions or modifications.

NOTE: The TCLP (Method 1311) is published in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", U.S. EPA Publication SW-846, as incorporated by reference in 35 Ill. Adm. Code 720.111.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 721.APPENDIX C Chemical Analysis Test Methods

The Board incorporates by reference 40-CFR-261-Appendix-III (1990) as amended at 55 Fed. Reg. 59493-December 6, 1990. This Section incorporates no future editions or modifications.

NOTE: Appropriate analytical procedures to determine whether a sample contains a given toxic constituent are specified in Chapter Two, "Choosing the Correct

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Procedure", found in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", U.S. EPA Publication SW-846, as incorporated by reference in 35 Ill. Adm. Code 720.111. Prior to final sampling and analysis method selection, the individual should consult the specific section or method described in SW-846 for additional guidance on which of the approved methods should be employed for a specific sample analysis situation.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 721.APPENDIX J Method of Analysis for Chlorinated Dibenzo-p-Dioxins and Dibenzofurans (Repealed)

The Board incorporates by reference 40-CFR-261-Appendix-X (1985) This Part incorporates no future revisions or editions.

(Source: Repealed at 18 Ill. Reg. _____, effective _____)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: INFORMATION TO BE SUBMITTED IN A PERMIT APPLICATION
- 2) Code Citation: 35 Ill. Adm. Code 812
- 3) Section Numbers: Adopted Action:
812.101 Amendment
812.301 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021, 1021.1, 1022, 1022.17 and 1027 (415 ILCS 5/5, 5/21, 5/21.1, 5/22, 5/22.17, and 5/271).
- 5) Effective Date of Amendments: August 1, 1994
- 6) Does this rulemaking contain an automatic repeal date?: No.
- 7) Do these proposed amendments contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: July 21, 1994
- 9) Notice of proposal published in Illinois Register: October 15, 1993 at 17 Ill. Reg. 17644.
- 10) Has JCAR Issued a Statement of Objection to These Proposed Amendments: No
- 11) Differences between proposal and final revisions: Certain minor editorial or typographical corrections made at the request of JCAR or the Code Unit are not detailed here.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? None issued.
- 13) Will these proposed amendments replace emergency amendments currently in effect? No.
- 14) Are there any other amendments pending on this Part? No.
- 15) Summary and Purpose of the Rule:

A more detailed description is contained in the Board's opinion and order of July 21, 1994 in R90-23, which opinion and order is available from the address below.

On August 17, 1990, in R88-7, the Board adopted extensive regulations at 35 Ill. Adm. Code 810 through 815 and amendments to the existing regulations at 35 Ill. Adm. Code 807 to govern the landfill disposal of non-hazardous waste. See 14 Ill. Reg. 15785 (Part 812), 15817 (Part 815), 15814 (Part 813), 15850 (Part 814), 15832 (Part 807), 15838 (Part 810),

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and 15861 (Part 811) (effective Sept. 18, 1990). As Part of that extensive rulemaking proceeding, the Board provided at 35 Ill. Adm. Code 811.101(b) that the regulations would have a limited applicability to landfills that disposed exclusively of wastes generated by foundries and primary steel production facilities, provided those industries filed a rulemaking proposal relating specifically to those wastes prior to December 1, 1990. This was done in response to the participation of those industries in the R88-7 proceeding.

On December 12, 1990, the Board received a rulemaking proposal from the affected industries. After a February 4, 1991 response by Steel and Foundry to a December 20, 1993 request by the Board for more information, the Board adopted on February 7, 1991 a first First Notice opinion and order; this proposal was published in the Illinois Register on March 1, 1991. (See 17 Ill. Reg. 3166 (Part 811), and 3155 (Part 814), and 3173 (Part 817) (Mar. 1, 1991).) The Board conducted public hearings on May 19, June 7, and June 21, 1991. The industries filed their first amended proposal on May 13, 1991. After filing a pre-hearing discussion draft on June 24, 1992, the industries filed their second amended proposal on March 4, 1993, with further documentation filed on May 13, 1993 in response to a March 26, 1993 Board hearing officer's order.

The present proposed amendments are based on the second amended industry proposal. 35 Ill. Adm. Code 807 and 810 through 815, and newly-proposed 35 Ill. Adm. Code 817 are involved in this proceeding.

The present rulemaking would establish requirements for certain landfills accepting wastes from the foundry and primary steel industries for disposal. These requirements would apply in place of those that would otherwise apply.

- 16) Information and questions regarding this adopted amendment shall be directed to:
Requests for copies of the Board's July 21, 1994 Opinion should reference Docket R90-26 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Questions regarding these rules may be directed to Anand Rao (312) 814-3956 or Kathleen Crowley (312) 814-6929 at the address above.

The full text of the adopted amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER i: SOLID WASTE AND SPECIAL WASTE HAULING

PART 812

INFORMATION TO BE SUBMITTED IN A PERMIT APPLICATION

SUBPART A: GENERAL INFORMATION REQUIRED FOR ALL LANDFILLS

Section

- 812.101 Scope and Applicability
- 812.102 Certification by Professional Engineer
- 812.103 Application Fees
- 812.104 Required Signatures
- 812.105 Approval by Unit of Local Government
- 812.106 Site Location Map
- 812.107 Site Plan Map
- 812.108 Narrative Description of the Facility
- 812.109 Location Standards
- 812.110 Surface Water Control
- 812.111 Daily Cover
- 812.112 Legal Description
- 812.113 Proof of Property Ownership and Certification
- 812.114 Closure Plans
- 812.115 Postclosure Care Plans
- 812.116 Closure and Postclosure Cost Estimates

SUBPART B: ADDITIONAL INFORMATION REQUIRED FOR INERT WASTE LANDFILLS

Section

- 812.201 Scope and Applicability
- 812.202 Waste Stream Test Results
- 812.203 Final Cover
- 812.204 Closure Requirements

SUBPART C: ADDITIONAL INFORMATION REQUIRED FOR PUTRESCIBLE AND CHEMICAL WASTE LANDFILLS

Section

- 812.301 Scope and Applicability
- 812.302 Waste Analysis
- 812.303 Site Location
- 812.304 Waste Shredding
- 812.305 Foundation Analysis and Design
- 812.306 Design of the Liner System
- 812.307 Leachate Drainage and Collection Systems
- 812.308 Leachate Management System
- 812.309 Landfill Gas Monitoring Systems

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- 812.310 Gas Collection Systems
- 812.311 Landfill Gas Disposal
- 812.312 Intermediate Cover
- 812.313 Design of the Final Cover System
- 812.314 Description of the Hydrogeology
- 812.315 Plugging and Sealing of Drill Holes
- 812.316 Results of the Groundwater Impact Assessment
- 812.317 Groundwater Monitoring Program
- 812.318 Operating Plans

AUTHORITY: Implementing Sections 5, 21, 21.1, 22, 22.17 and 28.1, and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021, 1021.1, 1022, 1022.17, 1028.1 and 1027) [415 ILCS 5/5, 21, 21.1, 22, 22.17, 28.1, and 27].

SOURCE: Adopted in R88-7 at 14 Ill. Reg. 15785, effective September 18, 1990; amended in R90-26 at 18 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL INFORMATION REQUIRED FOR ALL LANDFILLS

Section 812.101 Scope and Applicability

- a) All persons, except those specifically exempted by Section 21(d) of the Environmental Protection Act (Act) (Ill. Rev. Stat. 1989 1991, ch. 111 1/2, par. 1021(d)) [415 ILCS 5/21(d)] shall submit to the Agency an application for a permit to develop and operate a landfill. The applications must contain the information required by this Subpart and by Section 39(a) of the Act, except as otherwise provided in 35 Ill. Adm. Code 817.
- b) Subpart A contains general standards applicable to all landfills. Subpart B contains additional standards applicable to landfills which accept only inert waste. Subpart C contains additional standards applicable to landfills which accept chemical and putrescible waste.
- c) All general provisions of 35 Ill. Adm. Code 810 apply to this Part.

(Source: Amended at 18 Ill. Reg. _____, effective _____.)

SUBPART C: ADDITIONAL INFORMATION REQUIRED FOR PUTRESCIBLE AND CHEMICAL WASTE LANDFILLS

Section 812.301 Scope and Applicability

In addition to the information required by Subpart A, an application for a permit to develop a putrescible or chemical waste landfill shall contain the information required by this Subpart, except as otherwise provided in 35 Ill. Adm. Code 817.

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(Source: Amended at 18 Ill. Reg. _____, effective _____)

1) Heading of the Part: INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

2) Code citation: 35 Ill. Adm. Code 725

3) Section numbers: Adopted action:

725.290 Amendment
725.414 Amendment

4) Statutory authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 27].

5) Effective date of amendments: July 29, 1994

6) Does this rulemaking contain an automatic repeal date?: No.

7) Do these amendments contain incorporations by reference?

Yes. 35 Ill. Adm. Code 720.111 constitutes the central listing of incorporations by reference for all documents referenced throughout 35 Ill. Adm. Code 700 through 730, 738, and 739. The federal amendments upon which this proceeding is based updated a number of the documents incorporated in Section 720.111, thus resulting in amendments to that Section. Additionally, amendments were necessary to references to those documents and Section 720.111 in various locations in Parts 703, 721, 724, 725, 726, and 728.

8) Date filed in Board's principal office: Order adopted June 23, 1994.

9) Notice of proposal published in Illinois Register:

May 6, 1994, at 18 Ill. Reg. 6568

10) Has JCAR issued a Statement of Objections to these rules? No.

Section 22.4(a) of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1022.4(a)) [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version:

The Board tabulates the suggested corrections and our resulting actions as follows (sources of suggested corrections are indicate with (1) indicating JCAR, (2) indicating the Agency, (3) indicating U.S. EPA, and (4) indicating Board-initiated; * denotes Section not included in proposed rule):

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Section (Source)	Suggested Correction	Board Action
725.414(d)(2)	Correct incorporation to cite Section 720.111	Done; error in base text made in filing R93-4 (Sep. 23, 1993)

- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?

Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR. However, as indicated above, during the public comment period JCAR staff informally submitted questions and suggestions on the proposed amendments in larger proceeding of which this rulemaking is a part. The Board incorporated changes to the amendments based on the JCAR comments, but JCAR made no comments or suggestions with regard to this Part.

- 13) Will these amendments replace an emergency amendments currently in effect? No.

- 14) Are there any other amendments pending on this Part? No.

- 15) Summary and purpose of amendments:

A more detailed description is contained in the Board's opinion of June 30, 1994 in R94-7, which Opinion is available from the address below. Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

The broader proceeding, of which this notice is a single Part, updates 35 Ill. Adm. Code 703, 720, 721, 724, 725, 726, and 728 of the Illinois RCRA Subtitle C rules to correspond with amendments adopted by U.S. EPA that appeared in the Federal Register during the period, U.S. EPA undertook four regulatory actions under its RCRA Subtitle C Regulations, as follows:

58 Fed. Reg. 38816, July 20, 1993: Revision of "Guideline on Air Quality Models" and codification as 40 CFR 51, appendix W; amendment of all references to the guideline in BIF rules

58 Fed. Reg. 42466, Aug. 9, 1993: Determination not to list four large-volume wastes from Coal-fired electric utility power plants as Subpart D listed hazardous wastes (not resulting in regulatory amendments)

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58 Fed. Reg. 46040, Aug. 31, 1993: Update of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", EPA Publication SW-846, to third edition, and amendments to incorporations by reference

58 Fed. Reg. 59598, Nov. 9, 1993: Amendment of the health-based standards for qualifying for the Bevill exemption from regulation for BIF residues

The U.S. EPA action of July 20, 1993 was actually an air pollution control rulemaking that incidentally impacted the RCRA Subtitle C corrective actions. Formerly incorporated into the federal regulations by reference, U.S. EPA has updated and codified its "Guideline on Air Quality Models (Revised)" and its two supplements in the federal air regulations. U.S. EPA simultaneously amended several references to the Guideline, including those in the RCRA Subtitle C regulations that pertain to boilers and industrial furnaces (BIFs) that burn hazardous wastes. U.S. EPA also amended the "Screening Procedures for Estimating Air Quality Impact of Stationary Sources, Revised" to later version.

U.S. EPA amended the analytical procedures applicable to RCRA Subtitle C-regulated hazardous wastes on August 31, 1993. U.S. EPA updated "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-846 to its third edition with one update. U.S. EPA amended various appendices to refer to the SW-846 method. U.S. EPA also added a bomb-acid digestion method for analyzing waste-derived fuel and deleted an analytical method for chlorinated dibenzodioxins and dibenzofurans.

U.S. EPA adopted regulations for the burning of hazardous waste in boilers and industrial furnaces (the BIF rules) on February 21, 1991. Those regulations included two tests for determining whether the residues derived from Bevill devices, such as kilns, primary smelters, boilers, etc. were exempted from hazardous waste regulation. The first test is whether the levels of hazardous constituents was not significantly higher than the normal residue of combustion. The second test is whether levels of contaminants in the residues do not exceed specified health-based levels. On November 9, 1993, U.S. EPA amended the Bevill exclusion by amending the second, health-based levels, test. U.S. EPA substituted the land disposal restriction contaminant levels for F039 nonwastewaters from part 268 for the health-based levels. U.S. EPA amended its regulations to stay the effect of the levels listed in appendix VII until further federal action. Further, U.S. EPA has provided that an owner or operator has demonstrated a good-faith effort to detect a constituent, it is deemed in compliance with the alternative levels.

The Board followed the federal leads and amended the Illinois RCRA Subtitle C regulations accordingly. In addition to the federally-derived amendments, the Board made a number of "housekeeping" amendments, revising codification style and making a small number of corrections. We changed references to the United States Environmental Protection Agency "U.S. EPA". We further began to refer to the "U.S. EPA hazardous waste

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number" and "U.S. EPA document number" for similar clarity. The Board also continued our move toward presentation of equations and expressions in standard scientific notation. Finally, the Board also used this opportunity to make a number of corrections to punctuation, grammar, and cross-reference format throughout the opened text.

In particular, the amendments to 35 Ill. Adm. Code 725 flow from the federal update to SW-846. A number of corrective amendments are also involved in this Part.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge
Attorney
Illinois Pollution Control Board
100 W. Randolph 11-500
Chicago, IL 60610
312-814-6924

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

The full text of the adopted amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 725

INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

SUBPART A: GENERAL PROVISIONS

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725.101
725.104

Purpose, Scope and Applicability
Imminent Hazard Action

SUBPART B: GENERAL FACILITY STANDARDS

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SUBPART F: GROUNDWATER MONITORING

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725.211 Closure Performance Standard
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725.213 Closure; Time Allowed for Closure
725.214 Disposal or Decontamination of Equipment, Structures and Soils
725.215 Certification of Closure
725.216 Survey Plat
725.217 Post-closure Care and Use of Property
725.218 Post-closure Plan; Amendment of Plan
725.219 Post-Closure Notices
725.220 Certification of Completion of Post-Closure Care

SUBPART H: FINANCIAL REQUIREMENTS

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725.241 Definitions of Terms as Used in this Subpart
725.242 Cost Estimate for Closure
725.243 Financial Assurance for Closure
725.244 Cost Estimate for Post-closure Care
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725.272 Compatibility of Waste with Container
725.273 Management of Containers
725.274 Inspections
725.276 Special Requirements for Ignitable or Reactive Waste
725.277 Special Requirements for Incompatible Wastes

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725.291 Assessment of Existing Tank System's Integrity
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725.293 Containment and Detection of Releases
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725.296 Response to leaks or spills and disposition of Tank Systems
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AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111-1/2, pars. 1022.4 and 1027) [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective as noted in 35 Ill. Adm. Code 700.106; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-19, 51 PCB 831, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 14034, effective October 12, 1983; amended in R84-9, at 9 Ill. Reg. 11869, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1085, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14069, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6044, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13489,

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effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19338, effective November 10, 1987; amended in R87-26 at 12 Ill. Reg. 2485, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 13027, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 437, effective December 28, 1988; amended in R89-1 at 13 Ill. Reg. 18354, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14447, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16498, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9398, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14534, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9578, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17672, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5681, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20620, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6771, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. _____, effective _____.

SUBPART J: TANK SYSTEMS

Section 725.290 Applicability

The regulations of this Subpart apply to owners and operators of facilities that use tank systems for storing or treating hazardous waste, except as otherwise provided in subsections (a), (b) or (c) below, or in Section 725.101.

- Tank systems that are used to store or treat hazardous waste which that contains no free liquids and that are situated inside a building with an impermeable floor are exempted from the requirements in Section 725.293. To demonstrate the absence or presence of free liquids in the stored or treated waste, the following test must be used: USEPA U.S. EPA Method 9095 (Paint Filter Liquids Test) as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods" U.S. EPA U.S. EPA Publication No. SW-846, incorporated by reference in 35 Ill. Adm. Code 720.1117-must-be-used.
- Tank systems, including sumps, as defined in 35 Ill. Adm. Code 720.110, that serve as part of a secondary containment system to collect or contain releases of hazardous wastes are exempted from the requirements in Section 725.293(a).
- Tanks, sumps and other collection devices used in conjunction with drip pads, as defined in 35 Ill. Adm. Code 720.110 and regulated under Subpart W of this Part, must meet the requirements of this Subpart.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 725.414 Special Requirements for Liquid Wastes

- This subsection corresponds with 40 CFR 265.314(a), which pertains to the placement of bulk or non-containerized liquid waste or waste containing free liquids in a landfill prior to May 8, 1985. This statement maintains structural consistency with USEPA U.S. EPA rules. The placement of bulk or non-containerized liquid hazardous waste or

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hazardous waste containing free liquids (whether or not sorbents have been added) in any landfill is prohibited.

- c) Containers holding free liquids must not be placed in a landfill unless:

- 1) All free-standing liquid;
 - A) Has been removed by decanting, or other methods; or
 - B) Has been mixed with absorbent or solidified so that free-standing liquid is no longer observed; or
 - C) Has been otherwise eliminated; or
 - 2) The container is very small, such as an ampule; or
 - 3) The container is designed to hold free liquids for use other than storage, such as a battery or capacitor; or
 - 4) The container is a lab pack as defined in Section 725.416 and is disposed of in accordance with Section 725.416.
- d) To demonstrate the absence or presence of free liquids in either a containerized or a bulk waste, the following test must be used: Method 9095 (Paint Filter Liquids Test), as described in "Test Methods" for Evaluating Solid Wastes, Physical/Chemical Methods, 4th EPA U.S. EPA Publication No. SW 846, incorporated by reference in 35 Ill. Adm. Code 720.111.
- e) The placement of any liquid which that is not a hazardous waste in a landfill is prohibited (35 Ill. Adm. Code 729.311).
- f) Sorbents used to treat free liquids to be disposed of in landfills must be nonbiodegradable. Nonbiodegradable sorbents are: materials listed or described in subsection (f)(1) below; materials that pass one of the tests in subsection (f)(2) below; or materials that are determined by Board to be nonbiodegradable through the 35 Ill. Adm. Code 106 adjusted standard process.

- 1) Nonbiodegradable sorbents are:
 - A) Inorganic materials, other inorganic materials, and elemental carbon (e.g., aluminosilicates, clays, smectites, Fuller's earth, bentonite, calcium bentonite, montmorillonite, calcined montmorillonite, kaolinite, micas (illite), vermiculites, zeolites; calcium carbonate (organic free limestone); oxides/hydroxides, alumina, lime, silica (sand), diatomaceous earth; perlite (volcanic glass); expanded volcanic rock; volcanic ash; cement kiln dust; fly ash; rice hull ash; activated charcoal/activated carbon); or
 - B) High molecular weight synthetic polymers (e.g., polyethylene, high density polyethylene (HDPE), polypropylene, polystyrene, polyurethane, polyacrylate, polynorborene, polysobutylene, ground synthetic rubber, cross-linked allylstylene and tertiary butyl copolymers). This does not include polymers derived from biological material or polymers specifically designed to be degradable; or
 - C) Mixtures of these nonbiodegradable materials.
- 2) Tests for nonbiodegradable sorbents.
 - A) The sorbent material is determined to be nonbiodegradable

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under ASTM Method G21-70 (1984a)--"Standard Practice for Determining Resistance of Synthetic Polymer Materials to Fungi", incorporated by reference in 35 Ill. Adm. Code 720.111; or

- B) The sorbent material is determined to be nonbiodegradable under ASTM Method G22-76 (1984b)--"Standard Practice for Determining Resistance of Plastics to Bacteria", incorporated by reference in 35 Ill. Adm. Code 720.111.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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1) Heading of the Part: LAND DISPOSAL RESTRICTIONS2) Code citation: 35 Ill. Adm. Code 7283) Section numbers: Adopted action:

728.107 Amendment
 728.140 Amendment
 728.141 Amendment
 728.142 Amendment
 728.Appendix A Amendment
 728.Appendix I Amendment
 728.Table B Amendment
 728.Table D Amendment

4) Statutory authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 27].5) Effective date of amendments: July 29, 19946) Does this rulemaking contain an automatic repeal date?: No.7) Do these amendments contain incorporations by reference?

Yes. 35 Ill. Adm. Code 720.111 constitutes the central listing of incorporations by reference for all documents referenced throughout 35 Ill. Adm. Code 700 through 730, 738, and 739. The federal amendments upon which this proceeding is based updated a number of the documents incorporated in Section 720.111, thus resulting in amendments to that Section. Additionally, amendments were necessary to references to those documents and Section 720.111 in various locations in Parts 703, 721, 724, 725, 726, and 728.

8) Date filed in Board's principal office: Order adopted June 23, 1994.9) Notice of proposal published in Illinois Register:

May 6, 1994, at 18 Ill. Reg. 6535

10) Has JCAR issued a Statement of Objections to these rules? No.

Section 22.4(a) of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1022.4(a)) [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version:

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The Board tabulates the suggested corrections and our resulting actions as follows (sources of suggested corrections are indicated with 1 indicating JCAR, 2 indicating the Agency, 3 indicating U.S. EPA, and 4 indicating Board-initiated; * denotes Section not included in proposed rule):

<u>Section(Source)</u>	<u>Suggested Correction</u>	<u>Board Action</u>
728.107(a)(1,3)	Correct second cited method to Method 1310, EP Toxicity Test	Done
728.107(a)(2)	"Shall" is used in place of "must" in the federal	Done
	No change because Board convention uses shall in this instance (see the discussion of editorial convention in this opinion)	Done
728.107(a)(2)	Federal text relating to use of EP Toxicity test is missing	The Board cannot find a missing segment of text, but we have corrected the duplicate reference to the TCLP Method to refer to the EP Toxicity Method
728.140(a)(2)	"value" appears in place of "concentrations" in federal text	"Concentration" is used; U.S. EPA amended the second appearance of "value" to "concentrations" at 56 Fed. Reg. 3879 (Jan. 31, 1991), and the Board should have followed suit in R91-13 (Apr. 9, 1992), but did not; the federal usage of the plural is improper in context
728.141(a)(2)	"developed" appears in place of "extracted" in federal text	Done; this August 31, 1993 federal amendment should have appeared in the proposed rule
728.142(b)(*1)	Delete "of"	Done

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728.Table B K086-P037(1) Three pages of amendments from R93-16 appeared in the Illinois Register, but were not filed

728.Table B F039(1) Place entries for "acrolin" and "methanol" in proper alphabetical order; change footnote in sixth column of entry for "methylparathion" to "A"

Done

728.Table B U047 & U2391 Remove duplicate "B" footnote from the fifth column

Done

728.Table D U240(1) Change "*" the third column to "A"

Done

12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?

Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR. However, as indicated above, during the public comment period JCAR staff informally submitted questions and suggestions on the proposed amendments. The Board incorporated changes to the amendments based on the JCAR comments.

13) Will these amendments replace an emergency amendments currently in effect? No.

14) Are there any other amendments pending on this Part? No.

15) Summary and purpose of amendments:

A more detailed description is contained in the Board's opinion of June 30, 1994 in R94-7, which Opinion is available from the address below. Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

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The broader proceeding, of which this notice is a single Part, updates 35 Ill. Adm. Code 703, 720, 721, 724, 725, 726, and 728 of the Illinois RCRA Subtitle C rules to correspond with amendments adopted by U.S. EPA that appeared in the Federal Register during the period, U.S. EPA undertook four regulatory actions under its RCRA Subtitle C Regulations, as follows:

58 Fed. Reg. 38816, July 20, 1993: Revision of "Guideline on Air Quality Models" and codification as 40 CFR 51, appendix W; amendment of all references to the guideline in BIF rules

58 Fed. Reg. 42466, Aug. 9, 1993: Determination not to list four large-volume wastes from Coal-fired electric utility power plants as Subpart D listed hazardous wastes (not resulting in regulatory amendments)

58 Fed. Reg. 46040, Aug. 31, 1993: Update of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", EPA Publication SW-846, to third edition, and amendments to incorporations by reference

58 Fed. Reg. 59598, Nov. 9, 1993: Amendment of the health-based standards for qualifying for the Bevill exemption from regulation for BIF residues

The U.S. EPA action of July 20, 1993 was actually an air pollution control rulemaking that incidentally impacted the RCRA Subtitle C corrective actions. Formerly incorporated into the federal regulations by reference, U.S. EPA has updated and codified its "Guideline on Air Quality Models (Revised)" and its two supplements in the federal air regulations. U.S. EPA simultaneously amended several references to the Guideline, including those in the RCRA Subtitle C regulations that pertain to boilers and industrial furnaces (BIFs) that burn hazardous wastes. U.S. EPA also amended the "Screening Procedures for Estimating Air Quality Impact of Stationary Sources, Revised" to later version.

U.S. EPA amended the analytical procedures applicable to RCRA Subtitle C-regulated hazardous wastes on August 31, 1993. U.S. EPA updated "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-846 to its third edition with one update. U.S. EPA amended various appendices to refer to the SW-846 method. U.S. EPA also added a bomb-acid digestion method for analyzing waste-derived fuel and deleted an analytical method for chlorinated dibenzodioxins and dibenzofurans.

U.S. EPA adopted regulations for the burning of hazardous waste in boilers and industrial furnaces (the BIF rules) on February 21, 1991. Those regulations included two tests for determining whether the residues derived from Bevill devices, such as kilns, primary smelters, boilers, etc. were exempted from hazardous waste regulation. The first test is whether the levels of hazardous constituents was not significantly higher

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than the normal residue of combustion. The second test is whether levels of contaminants in the residues do not exceed specified health-based levels. On November 9, 1993, U.S. EPA amended the Bevill exclusion by amending the second, health-based levels, test. U.S. EPA substituted the land disposal restriction contaminant levels for F039 nonwastewaters from part 268 for the health-based levels. U.S. EPA amended its regulations to stay the effect of the levels listed in appendix VII until further federal action. Further, U.S. EPA has provided that an owner or operator has demonstrated a good-faith effort to detect a constituent, it is deemed in compliance with the alternative levels.

The Board followed the federal leads and amended the Illinois RCRA Subtitle C regulations accordingly. In addition to the federally-derived amendments, the Board made a number of "housekeeping" amendments, revising codification style and making a small number of corrections. We changed references to the United States Environmental Protection Agency "U.S. EPA". We further began to refer to the "U.S. EPA hazardous waste number" and "U.S. EPA document number" for similar clarity. The Board also continued our move toward presentation of equations and expressions in standard scientific notation. Finally, the Board also used this opportunity to make a number of corrections to punctuation, grammar, and cross-reference format throughout the opened text.

In particular, the amendments to 35 Ill. Adm. Code 728 flow from the federal update to SW-846. A number of corrective amendments are also involved in this Part.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge
Attorney
Illinois Pollution Control Board
100 W. Randolph 11-500
Chicago, IL 60610
312-814-6924

Note: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets; and SUM means the summation series or sigma function as used in mathematics.

The full text of the adopted amendments begins on the next page.

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TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 728

LAND DISPOSAL RESTRICTIONS

SUBPART A: GENERAL

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728.102	Dilution Prohibited as a Substitute for Treatment
728.103	Treatment Surface Impoundment Exemption
728.104	Procedures for case-by-case Extensions to an Effective Date
728.105	Petitions to Allow Land Disposal of a Waste Prohibited under Subpart C
728.106	Waste Analysis and Recordkeeping
728.107	Landfill and Surface Impoundment Disposal Restrictions (Repealed)
728.108	Special Rules for Characteristic Wastes
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SUBPART B: SCHEDULED FOR LAND DISPOSAL PROHIBITION AND ESTABLISHMENT OF TREATMENT STANDARDS

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728.110	First Third
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728.113	Newly Listed Wastes
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SUBPART C: PROHIBITION ON LAND DISPOSAL

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728.130	Waste Specific Prohibitions -- Solvent Wastes
728.131	Waste Specific Prohibitions -- Dioxin-Containing Wastes
728.132	Waste Specific Prohibitions -- California List Wastes
728.133	Waste Specific Prohibitions -- First Third Wastes
728.134	Waste Specific Prohibitions -- Second Third Wastes
728.135	Waste Specific Prohibitions -- Third Third Wastes
728.136	Waste Specific Prohibitions -- Newly Listed Wastes
728.137	Waste Specific Prohibitions -- Ignitable and Corrosive Characteristic Wastes Whose Treatment Standards Were Vacated
728.139	Statutory Prohibitions

SUBPART D: TREATMENT STANDARDS

Section

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- | | |
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| 728.140 | Applicability of Treatment Standards |
| 728.141 | Treatment Standards Expressed as Concentrations in Waste Extract |
| 728.142 | Treatment Standards Expressed as Specified Technologies |
| 728.143 | Treatment Standards Expressed as Waste Concentrations |
| 728.144 | Adjustment of Treatment Standard |
| 728.145 | Treatment Standards for Hazardous Debris |
| 728.146 | Alternative Treatment Standards Based on HTRR |

SUBPART E: PROHIBITIONS ON STORAGE

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| Section | |
| 728.150 | Prohibitions on Storage of Restricted Wastes |
| APPENDIX A | Toxicity Characteristic Leaching Procedure (TCLP) |
| APPENDIX B | Treatment Standards (As concentrations in the Residual Extract) |
| APPENDIX C | List of Halogenated Organic Compounds |
| APPENDIX D | Organometallic Lab Packs |
| APPENDIX E | Organic Lab Packs |
| APPENDIX F | Technologies to Achieve Deactivation of Characteristics |
| APPENDIX G | Federal Effective Dates |
| APPENDIX H | National Capacity LDR Variances for UIC Wastes |
| APPENDIX I | EP Toxicity Test Method and Structural Integrity Test |

- | TABLE A | Constituent Concentrations in Waste Extract (CCWE) |
|---------|----------------------------------------------------------------|
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| TABLE C | Technology Codes and Description of Technology-Based Standards |
| TABLE D | Technology-Based Standards by RCRA Waste Code |
| TABLE E | Standards for Radioactive Mixed Waste |
| TABLE F | Alternative Treatment Standards for Hazardous Debris |
| TABLE G | Alternative Treatment Standards Based on HMTR |
| TABLE H | Wastes Excluded from CCW Treatment Standards |

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027) [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R87-5 at 11 Ill. Reg. 19354, effective November 12, 1987; amended in R87-39 at 12 Ill. Reg. 13046, effective July 29, 1988; amended in R89-1 at 13 Ill. Reg. 18403, effective November 13, 1989; amended in R89-9 at R89-11 at 13 Ill. Reg. 6232, effective April 16, 1990; amended in R90-2 at 14 Ill. Reg. 1470, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16508, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9462, effective June 17, 1991; amended in R90-11 at 15 Ill. Reg. 11937, effective August 12, 1991; amendment withdrawn at 15 Ill. Reg. 14716, October 11, 1991; amended in R91-13 at 16 Ill. Reg. 9619, effective June 9, 1992; amended in R92-10 at 17 Ill. Reg. 5727, effective March 26, 1993; amended in R93-4 at 18 Ill. Reg. 20692, effective November 22, 1993; amended at 18 Ill. Reg. 6799, effective April 26, 1994; amended at 18 Ill. Reg.

Section 728.107 Waste Analysis and Recordkeeping

- a) Except as specified in Section 728.132, where a generator's waste is listed in 35 Ill. Adm. Code 721.Subpart D, the generator shall test its waste, or test an extract using the ~~test-method-described-in-35-iii---Adm---Code-721-Appendix-B~~ Toxicity Characteristic Leaching Procedure, Method 1311, in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", U.S. EPA Publication SW-846, as incorporated by reference in 35 Ill. Adm. Code 720.111, or use knowledge of the waste, to determine if the waste is restricted from land disposal under this Part. Except as specified in Section 728.132, if a generator's waste exhibits one or more of the characteristics set out at 35 Ill. Adm. Code 721.Subpart C, the generator shall test an extract using the ~~test-method-described-in-35-iii---Adm---Code-721-Appendix-B~~ Toxicity Characteristic Leaching Procedure, Method 1311, in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", U.S. EPA Publication SW-846, as incorporated by reference in 35 Ill. Adm. Code 720.111, or use knowledge of the waste, to determine if the waste is restricted from land disposal under this Part. If the generator determines that its waste displays the characteristic of ignitability (D001) (and is not in the High TOC Ignitable Liquids Subcategory or is not treated by INCIN, FSUBS, or RORGS of Section 728.Table C of this Part), or the characteristic or corrosivity (D002), and is prohibited under Section 728.137, the generator shall determine what underlying hazardous constituents (as defined in Section 728.102 of this Part) are reasonably expected to be present in the D001 or D002 waste.
- 1) If a generator determines that the generator is managing a restricted waste under this Part and determines that the waste does not meet the applicable treatment standards set forth in Subpart D of this Part or exceeds the applicable prohibition levels set forth in Section 728.132 or 728.139, with each shipment of waste the generator shall notify the treatment or storage facility in writing of the appropriate treatment standard set forth in Subpart D of this Part and any applicable prohibition levels set forth in Section 728.132 or 728.139. The notice must include the following information:
- A) U.S. EPA hazardous waste number;
- B) The corresponding treatment standards for wastes F001 through F005, F039, wastes prohibited pursuant to Section 728.132 or Section 3004(d) of the Resource Conservation and Recovery Act, referenced in Section 728.139. Treatment standards for all other restricted wastes must either be included, or be referenced by including on the notification the applicable wastewater (as defined in Section 728.102(f)) or nonwastewater (as defined in Section 728.102(d)) category, the applicable subcategory made within a waste code based on waste-specific criteria (such as 003 reactive

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cyanides), and the Section and subsections where the applicable treatment standard appears. Where the applicable treatment standards are expressed as specified technologies in Section 728.142, the applicable five-letter treatment code found in Section 728.142 Table C (e.g., INCIN, WETOX) also must be listed on the notification.

C) The manifest number associated with the shipment of waste; and

D) For hazardous debris, the contaminants subject to treatment as provided by Section 728.145(b) and the following statement: "This hazardous debris is subject to the alternative treatment standards of 35 Ill. Adm. code 728.145; and

E) Waste analysis data, where available.

2) If a generator determines that the generator is managing a restricted waste under this Part, and determines that the waste can be land disposed without further treatment, with each shipment of waste the generator shall submit, to the treatment, storage or land disposal facility, a notice and a certification stating that the waste meets the applicable treatment standards set forth in Subpart D of this Part and the applicable prohibition levels set forth in Section 728.132 and 728.139. Generators of hazardous debris that is excluded from the definition of hazardous waste under 35 Ill. Adm. Code 721.103(c), 35 Ill. Adm. Code 728.103(f)(2) and 35 Ill. Adm. Code 720.122 (i.e., debris that is delisted), however are not subject to these notification and certification requirements.

A) The notice must include the following information:

- i) U.S. EPA hazardous waste number;
- ii) The corresponding treatment standards for wastes F001 through F005, F039 and wastes prohibited pursuant to Section 728.132 or Section 3004(d) of the Resource Conservation and Recovery Act, referenced in Section 728.139. Treatment standards for all other restricted wastes must either be included or referenced by including on the notification the applicable wastewater or nonwastewater (as defined in Section 728.102) category, the applicable subdivisions made within a waste code based on waste-specific criteria (such as D003, reactive cyanides), and the Section and subsection where the applicable treatment standard appears. Where the applicable treatment standards are expressed as specified technologies in Section 728.142, the applicable five-letter treatment code found in Section 728.142 Table C (e.g., INCIN, WETOX) also must be listed on the notification.
- iii) The manifest number associated with the shipment of waste;
- iv) Waste analysis data, where available.

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B) The certification must be signed by an authorized representative and must state the following:
I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or through knowledge of the waste to support this certification that the waste complies with the treatment standards specified in 35 Ill. Adm. Code 728.132, 728.139 or Section 3004(d) of the Resource Conservation and Recovery Act.

I believe that the information I submitted is true, accurate and complete. I am aware that there are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment.

3) If a generator's waste is subject to an exemption from a prohibition on the type of land disposal method utilized for the waste (such as, but not limited to, a case-by-case extension under Section 728.105, an exemption under Section 728.106, an extension under Section 728.101(c)(3) or a nationwide capacity variance under 40 CFR 268.101(c)(3) or a nationwide capacity shipment of waste, the generator shall submit a notice with the waste to the facility receiving the generator's waste, stating that the waste is not prohibited from land disposal. The notice must include the following information:

- A) U.S. EPA hazardous waste number;
- B) The corresponding treatment standards for wastes F001 through F005, F039 and wastes prohibited pursuant to Section 728.132 or Section 3004(d) of the Resource Conservation and Recovery Act, referenced in Section 728.139. Treatment standards for all other restricted wastes must either be included or be referenced by including on the notification the applicable wastewater or nonwastewater (as defined in Section 728.102) category, the applicable subdivisions made within a waste code based on waste-specific criteria (such as D003, reactive cyanides), and the Section and subsection where the applicable treatment standard appears. Where the applicable treatment standards are expressed as specified technologies in Section 728.142, the applicable five-letter treatment code found in Section 728.142 Table C (e.g., INCIN, WETOX) also must be listed on the notification.
- C) The manifest number associated with the shipment of waste;
- D) Waste analysis data, where available;
- E) For hazardous debris, the contaminants subject to treatment as provided by Section 728.145(b) and the following statement: "This hazardous debris is subject to the alternative treatment standards of 35 Ill. Adm. Code 728.145"; and
- F) The date the waste is subject to the prohibitions.

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- 4) If a generator is managing a prohibited waste in tanks or containers regulated under 35 Ill. Adm. Code 722.134, and is treating such waste in such tanks, containers or containment buildings to meet applicable treatment standards under Subpart D of this Part, the generator shall develop and follow a written waste analysis plan which that describes the procedures the generator will carry out to comply with the treatment standards. The plan must be kept on-site in the generator's records, and the following requirements must be met:
 - A) The waste analysis plan must be based on a detailed chemical and physical analysis of a representative sample of the prohibited wastes being treated and contain all information necessary to treat the wastes in accordance with the requirements of this Part, including the selected testing frequency.
 - B) Such plan must be filed with the Agency a minimum of 30 days prior to the treatment activity, with delivery verified.
 - C) Wastes shipped off-site pursuant to this subsection must comply with the notification requirements of Section 728.107(a)(2).
- 5) If a generator determines whether the waste is restricted based solely on the generator's knowledge of the waste, the generator shall retain all supporting data used to make this determination on-site in the generator's files. If a generator determines whether the waste is restricted based on testing the waste or an extract developed using the test method described in Appendix A, the generator shall retain all waste analysis data on site in the generator's files.
- 6) If a generator determines, subsequent to the time of generation, that the generator is managing a restricted waste which that is excluded from the definition of hazardous or solid waste or exempt from regulation as a RCRA hazardous waste under 35 Ill. Adm. Code 712.102 through 721.106, the generator shall place, in the facility's file, a one-time notice stating such generation, subsequent exclusion from the definition of hazardous or solid waste or exemption from regulation as a RCRA hazardous waste, and the disposition of the waste.
- 7) Generators shall retain on-site a copy of all notices, certifications, demonstrations, waste analysis data and other documentation produced pursuant to this Section for at least five years from the date that the waste that is the subject of such documentation was last sent to on-site or off-site treatment storage or disposal. The five year record retention period is automatically extended during the course of any unresolved enforcement action regarding the regulated activity or as requested by the Agency. The requirements of this subsection apply to solid wastes even when the hazardous characteristic is removed prior to disposal, or when the waste is excluded from the definition of hazardous or solid waste under 35 Ill. Adm. Code

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- 721.102 through 721.106, or exempted from regulation as a RCRA hazardous waste subsequent to the point of generation.
- 8) If a generator is managing a lab pack that contains wastes identified in Appendix D and wishes to use the alternative treatment standard under Section 728.142, with each shipment of waste the generator shall submit a notice to the treatment facility in accordance with subsection (a)(1) above. The generator shall also comply with the requirements in subsections (a)(5) and (a)(6) above and shall submit the following certification, which must be signed by an authorized representative:

I certify under penalty of law that I personally have examined and am familiar with the waste that the lab pack contains only the wastes specified in 35 Ill. Adm. Code 728-Appendix D or solid wastes not subject to regulation under 35 Ill. Adm. Code 721. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine or imprisonment.
- 9) If a generator is managing a lab pack that contains organic wastes specified in Appendix E and wishes to use the alternate treatment standards under Section 728.142, with each shipment of waste the generator shall submit a notice to the treatment facility in accordance with subsection (a)(1) above. The generator also shall comply with the requirements in subsections (a)(5) and (a)(6) above, and shall submit the following certification which must be signed by an authorized representative:

I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or through knowledge of the waste and that the lab pack contains only organic waste specified in 35 Ill. Adm. Code 728-Appendix E or solid wastes not subject to regulation under 35 Ill. Adm. Code 721. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine or imprisonment.
- 10) Small quantity generators with tolling agreements pursuant to 35 Ill. Adm. Code 722.120(e) shall comply with the applicable notification and certification requirements of subsection (a) above for the initial shipment of the waste subject to the agreement. Such generators shall retain on-site a copy of the notification and certification, together with the tolling agreement, for at least three years after termination or expiration of the agreement. The three-year record retention period is automatically extended following notification pursuant to Section 31(d) of the Environmental Protection Act, until either any subsequent enforcement action is resolved, or the Agency notifies the generator documents need not be retained.
- b) Treatment facilities shall test their wastes according to the

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frequency specified in their waste analysis plans as required by 35 Ill. Adm. Code 724.113 or 725.113. Such testing must be performed as provided in subsections (b)(1), (b)(2) and (b)(3) below.

1) For wastes with treatment standards expressed as concentrations in the waste extract (Section 728.141), the owner or operator of the treatment facility shall test the treatment residues or an extract of such residues developed using the test method described in Appendix A to assure that the treatment residues or extract meet the applicable treatment standards.

2) For wastes prohibited under Section 728.132 or 728.139 which that are not subject to any treatment standards under Subpart D of this Part, the owner or operator of the treatment facility shall test the treatment residues according to the generator testing requirements specified in Section 728.132 to assure that the treatment residues comply with the applicable prohibitions.

3) For wastes with treatment standards expressed as concentrations in the waste (Section 728.143), the owner or operator of the treatment facility shall test the treatment residues (not an extract of such residues) to assure that the treatment residues meet the applicable treatment standards.

4) A notice must be sent with each waste shipment to the land disposal facility which that includes the following information, except that debris excluded from the definition of the hazardous waste under Section 728.103(f)(2) (i.e., debris treated by an extraction or destruction technology provided by Section 728.103(f)(2) and debris that is delisted) is subject to the notification and certification requirements of subsection (d) below rather than these notification requirements:

A) U.S. EPA hazardous waste number;

B) The corresponding treatment standards for wastes F001 through F005, F039, wastes prohibited pursuant to Section 728.132 or Section 3004(d) of the Resource Conservation and Recovery Act, referenced in Section 728.139, and for underlying hazardous constituents (as defined in Section 728.102 of this Part), in D001 and D002 wastes if those wastes are prohibited under Section 728.137 of this Part. Treatment standards for all other restricted wastes must either be included, or be referenced by including on the notification the applicable wastewater or nonwastewater (as defined in Section 728.102) category, the applicable subdivisions made within a waste code based on waste-specific criteria (such as D003 reactive cyanides), and the Sections and subsections where the applicable treatment standards appear. Where the applicable treatment standards are expressed as specified technologies in Section 728.142, the applicable five-letter treatment code found in Section 728.142 Table C (e.g., INCIN, WETOX) also must be listed on the notification.

C) The manifest number associated with the shipment of waste;

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and

D) Waste analysis data, where available.

5) The treatment facility shall submit a certification with each shipment of waste or treatment residue of a restricted waste to the land disposal facility stating that the waste or treatment residue has been treated in compliance with the treatment standards specified in Subpart D of this Part and the applicable prohibitions set forth in Section 728.132 or 728.139. Debris excluded from the definition of hazardous waste under Section 728.103(f)(2) (i.e., debris treated by an extraction or destruction technology provided by Section 728.103(f)(2) and debris that is delisted), however, is subject to the notification and certification requirements of subsection (d) below rather than the certification requirements of subsection (b)(5).

A) For wastes with treatment standards expressed as concentrations in the waste extract or in the waste (Sections 728.141 or 728.143), or for wastes prohibited under Section 728.132 or 728.139 which that are not subject to any treatment standards under Subpart D of this Part, the certification must be signed by an authorized representative and must state the following:

I certify under penalty of law that I have personally examined and am familiar with the treatment technology and operation of the treatment process used to support this certification and that, based on my inquiry of those individuals immediately responsible for obtaining this information, I believe that the treatment process has been operated and maintained properly so as to comply with the performance levels specified in 35 Ill. Adm. Code 728.139 and all applicable prohibitions set forth in 35 Ill. Adm. Code 728.132 or 728.139 or section 3004(d) of the Resource Conservation and Recovery Act without impermissible dilution of the prohibited waste. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.

B) For wastes with treatment standards expressed as technologies (Section 728.142), the certification must be signed by an authorized representative and must state the following:

I certify under penalty of law that the waste has been treated in accordance with the requirements of 35 Ill. Adm. Code 728.142. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.

C) For wastes with treatment standards expressed as concentrations in the waste pursuant to Section 728.143, if

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compliance with the treatment standards in Subpart D of this Part is based in part or in whole on the analytical detection limit alternative specified in Section 728.143(c), the certification also must state the following:

I certify under penalty of law that I have personally examined and am familiar with the treatment technology and operation of the treatment process used to support this certification and that, based on my inquiry of those individuals immediately responsible for obtaining this information, I believe that the nonwastewater organic constituents have been treated by incineration in units operated in accordance with 35 Ill. Adm. Code 724.Subpart O) or 35 Ill. Adm. Code 725.Subpart O, or by combustion in fuel substitution units operating in accordance with applicable technical requirements, and I have been unable to detect the nonwastewater organic constituents despite having used best good faith efforts to analyze for such constituents. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.

6) If the waste or treatment residue will be further managed at a different treatment or storage facility, the treatment, storage or disposal facility sending the waste or treatment residue off-site must comply with the notice and certification requirements applicable to generators under this Section.

7) Where the wastes are recyclable materials used in a manner constituting disposal subject to the provisions of 35 Ill. Adm. Code 726.120(b), regarding treatment standards and prohibition levels, the owner or operator of a treatment facility (i.e. the recycler) is not required to notify the receiving facility pursuant to subsection (b)(4) above. With each shipment of such wastes the owner or operator of the recycling facility shall submit a certification described in subsection (b)(5) above and a notice which that includes the information listed in subsection (b)(4) above (except the manifest number) to the Agency. The recycling facility also shall keep records of the name and location of each entity receiving the hazardous waste-derived product.

c) Except where the owner or operator is disposing of any waste that is a recyclable material used in a manner constituting disposal pursuant to 35 Ill. Adm. Code 726.120(b), the owner or operator of any land disposal facility disposing any waste subject to restrictions under this Part shall:

1) Have copies of the notice and certification specified in subsection (a) or (b) above and the certification specified in Section 728.108 if applicable.

2) Test the waste, or an extract of the waste or treatment residue

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developed using the test method described in Appendix A or using any methods required by generators under Section 728.132, to assure that the wastes or treatment residues are in compliance with the applicable treatment standards set forth in Subpart D of this Part and all applicable prohibitions set forth in Sections 728.132 or 728.139. Such testing must be performed according to the frequency specified in the facility's waste analysis plan as required by 35 Ill. Adm. Code 724.113 or 725.113.

3) Where the owner or operator is disposing of any waste that is subject to the prohibitions under Section 728.133(f) but not subject to the prohibitions set forth in Section 728.132, the owner or operator shall ensure that such waste is the subject of a certification according to the requirements of Section 728.108 prior to disposal in a landfill or surface impoundment unit, and that such disposal is in accordance with the requirements of Section 728.105(h)(2). The same requirement applies to any waste that is subject to the prohibitions under Section 728.133(f) and also is subject to the statutory prohibitions in the codified prohibitions in Section 728.139 or Section 728.132.

4) Where the owner or operator is disposing of any waste that is a recyclable material used in a manner constituting disposal subject to the provisions of 35 Ill. Adm. Code 726.120(b), the owner or operator is not subject to subsections (c)(1) through (c)(3) above, with respect to such waste.

d) Generators or treaters who that first claim that hazardous debris is excluded from the definition of hazardous waste under 35 Ill. Adm. Code 728.103(f)(2) (i.e., debris treated by an extraction or destruction technology provided by Section 728.103(f)(2), and debris that has been delisted) are subject to the following notification and certification requirements:

1) A one-time notification must be submitted to the Agency including the following information:

- A) The name and address of the RCRA Subtitle D facility receiving the treated debris;
- B) A description of the hazardous debris as initially generated, including the applicable U.S. EPA hazardous waste numbers; and
- C) For debris excluded under 35 Ill. Adm. Code 728.103(f)(2), the technology from Section 728.103(f)(2), used to treat the debris.

2) The notification must be updated if the debris is shipped to a different facility, and, for debris excluded 35 Ill. Adm. Code 721.2(d)(1), if a different type of debris is treated or if a different technology is used to treat the debris.

3) For debris excluded under 35 Ill. Adm. Code 728.103(f)(2), the owner or operator of the treatment facility shall document and certify compliance with the treatment standards of Section 728.108, as follows:

A) Records must be kept of all inspections, evaluations, and

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analyses of treated debris that are made to determine compliance with the treatment standards;

B) Records must be kept of any data or information the treater obtains during treatment of the debris that identifies key operating parameters of the treatment unit; and

C) For each shipment of treated debris, a certification of compliance with the treatment standards must be signed by an authorized representative and placed in the facility's files. The certification must state the following: "I certify under penalty of law that the debris has been treated in accordance with the requirements of 35 Ill. Adm. Code 728.145. I am aware that there are significant penalties for making a false certification, including the possibility of fine and imprisonment."

(Source: Amended at 18 Ill. Reg. _____, effective _____)

SUBPART D: TREATMENT STANDARDS

Section 728.140 Applicability of Treatment Standards

a) A restricted waste identified in Section 728.141 may be land disposed only if an extract of the waste or of the treatment residue of the waste developed using the test-method-35-iii-Adm-Code-728-Appendix-B Method 1311, the Toxicity Characteristic Leaching Procedure, does not exceed the value shown in Section 728.141 for any hazardous constituent listed in Section 728.141 for that waste, with the following exceptions: D004, D008, K031, K084, K101, K102, P010, P011, P012, P036, P038 and U136. These wastes may be land disposed only if an extract of the waste or of the treatment residue of the waste developed using either the test-method-in-35-iii-Adm-Code-728-Appendix-B Method 1310, the Extraction Procedure Toxicity Test, or Method 1311, the Toxicity Characteristic Leaching Procedure, or the test method in Section 728.141 does not exceed the value concentration shown in Section 728.141 for any hazardous constituent listed in Section 728.141 for that waste. Methods 1310 and 1311 are both found in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", U.S. EPA Publication SW-846, as incorporated by reference in 35 Ill. Adm. Code 720.111.

b) A restricted waste for which a treatment technology is specified under Section 728.142(a) or hazardous debris for which a treatment technology is specified under Section 728.145 may be land disposed after it is treated using that specified technology or an equivalent treatment method approved by the Agency under the procedures set forth in Section 728.142(b). For waste displaying the characteristic of ignitability (D001) and reactivity (D003), that are diluted to meet the deactivation treatment standard in Section 728.145(c) and D (DEACT), the treater shall comply with the precautionary measures

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specified in 35 Ill. Adm. Code 724.117(b) and 35 Ill. Adm. Code 725.117(b).

- c) Except as otherwise specified in Section 728.143(c), a restricted waste identified in Section 728.143 may be land disposed only if the constituent concentrations in the waste or treatment residue of the waste do not exceed the value shown in Section 728.143 for any hazardous constituent listed in Section 728.143 for that waste.
- d) If a treatment standard has been established in Section 728.141 through 728.143 for a hazardous waste that is itself subject to those standards rather than the standards for hazardous debris under Section 728.145.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 728.141 Treatment Standards expressed as Concentrations in Waste Extract

a) Section 728.141 identifies the restricted wastes and the concentrations of their associated constituents which that may not be exceeded by the extract of a waste or waste treatment residual developed using the test-method-in-Section-728-Appendix-A Method 1311, the Toxicity Characteristic Leaching Procedure, for the allowable land disposal of such wastes. Compliance with these concentrations is required based upon grab samples, unless otherwise noted in Section 728.141. A Method 1311 is found in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", U.S. EPA Publication SW-846, as incorporated by reference in 35 Ill. Adm. Code 720.111.

b) When wastes with differing treatment standards for a constituent of concern are combined for purposes of treatment, the treatment residue must meet the lowest treatment standard for the constituent of concern, except that mixtures of high and low zinc nonwastewater K061 are subject to the treatment standard for high zinc K061.

c) The treatment standards for the constituents in F001 through F005 which that are listed in Section 728.141 A only apply to wastes which contain one, two, or all three of these constituents. If the waste contains any of these three constituents along with any of the other 26 constituents found in F001 through F005, then only the treatment standards in Section 728.141 A are required.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 728.142 Treatment Standards Expressed as Specified Technologies

a) The following wastes in subsections (a)(1) and (2) below and Sections 728.143 and 728.145 must be treated using the technology or technologies specified in subsections (a)(1) and (2), below, and

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Section 728. Table C.

- 1) Liquid hazardous wastes containing PCBs at concentrations greater than or equal to 50 ppm but less than 500 ppm must be incinerated in accordance with technical requirements at 40 CFR 761.70, incorporated by reference in 35 Ill. Adm. Code 720.111, or burned in high efficiency boilers in accordance with the technical requirements of 40 CFR 761.60. Liquid hazardous wastes containing PCBs at concentrations greater than or equal to 500 ppm must be incinerated in accordance with the technical requirements of 40 CFR 761.70. Thermal treatment in accordance with this Section must be in compliance with applicable regulations in 35 Ill. Adm. Code 724, 725 and 726.
- 2) Nonliquid hazardous wastes containing halogenated organic compounds (HOCs) in total concentrations greater than or equal to 1000 mg/kg and liquid HOC-containing wastes that are prohibited under Section 728.132(e)(1) must be incinerated in accordance with the requirements of 35 Ill. Adm. Code 724. Subpart O or 35 Ill. Adm. Code 725. Subpart O. These treatment standards do not apply where the waste is subject to a Subpart C of this Part treatment standard for a specific HOC (such as a hazardous waste chlorinated solvent for which a treatment standard is established under Section 728.141(a)).
- 3) A mixture consisting of wastewater, the discharge of which is subject to regulation under 35 Ill. Adm. Code 309 or 310, and de minimis losses of materials from manufacturing operations in which these materials are used as raw materials or are produced as products in the manufacturing process, and that meet the criteria of the D001 ignitable liquids containing greater than 10% total organic constituents (TOC) subcategory, is subject to the DEACT treatment standard described in Table C. For purposes of this subsection, "de minimis losses" include:
 - A) Those from normal material handling operations (e.g., spills from the unloading or transfer of materials from bins or other containers, leaks from pipes, valves or other devices used to transfer materials);
 - B) Minor leaks from process equipment, storage tanks, or containers;
 - C) Leaks from well-maintained pump packings and seals;
 - D) Sample purgings; and
 - E) Relief device discharges.
- b) Any person may submit an application to the Agency demonstrating that an alternative treatment method can achieve a level of performance equivalent to that achievable by methods specified in subsections (a) above and (c) and (d) below for wastes or specified in of Section 728. Table F for hazardous debris. The applicant shall submit information demonstrating that the applicant's treatment method is in compliance with federal and state requirements, including this Part, 35 Ill. Adm. Code 709, 724, 725, 726 and 729 and Sections 22.6 and 39(h) of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch.

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- 111 1/2, pars. 1022.6 and 1039(h) [415 ILCS 5/22.6 and 5/39(h)], and is protective of human health or the environment. On the basis of such information and any other available information, the Agency shall approve the use of the alternative treatment method if the Agency finds that the alternative treatment method provides a measure of performance equivalent to that achieved by methods specified in subsections (a) above and (c) and (d) below and in Section 728. Table F, for hazardous debris. Any approval must be stated in writing and may contain such provisions and conditions as the Agency determines to be appropriate. The person to whom such approval is issued shall comply with all limitations contained in such determination.
- c) As an alternative to the otherwise applicable treatment standards of Subpart D of this Part, lab packs are eligible for land disposal provided the following requirements are met:
 - 1) The lab packs comply with the applicable provisions of 35 Ill. Adm. Code 724.416 and 725.416;
 - 2) All hazardous wastes contained in such lab packs are specified in Appendix D or Appendix E;
 - 3) The lab packs are incinerated in accordance with the requirements of 35 Ill. Adm. Code 724. Subpart O or 35 Ill. Adm. Code 725. Subpart O; and
 - 4) Any incinerator residues from lab packs containing D004, D005, D006, D007, D008, D010, and D011 are treated in compliance with the applicable treatment standards specified from such wastes in Subpart D.
- d) Radioactive hazardous mixed wastes with treatment standards specified in Section 728. Table E are not subject to any treatment standards specified in Section 728.141, Section 728.143 or Section 728. Table D. Radioactive hazardous mixed wastes not subject to treatment standards in Section 728. Table E remain subject to all applicable treatment standards specified in Section 728.141, Section 728.143 and Section 728. Table D. Hazardous debris containing radioactive waste is not subject to the treatment standards specified in Section 728. Table F but is subject to the treatment standards specified in Section 728.145.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 728. APPENDIX A Toxicity Characteristic Leaching Procedure (TCLP)

The Board incorporates by reference--40--CFR--268--Appendix--I--(1988)---This incorporation includes no future editions or amendments--Note: The TCLP (Method 1311) is published in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", U.S. EPA Publication SW-846, as incorporated by reference in 35 Ill. Adm. Code 720.111.

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(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 728.APPENDIX I EP Toxicity Test Method and Structural Integrity Test

The Board incorporates by reference 40 CFR 268.7 Appendix IX adopted at 56 Fed. Reg. 30766 January 31, 1991. This Section incorporates no future amendments or editions. Note: The EP (Method 1310) is published in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", U.S. EPA Publication SW-846, as incorporated by reference in 35 Ill. Adm. Code 720.111.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 728.TABLE B Constituent Concentrations in Waste (CCW)

D, F and K Listed Wastes

Waste See Code Also	Regulated Hazardous Constituent	CAS No. for Regulated Hazardous Constituent	Concentration (mg/L)	
			Wastewaters	Non-wastewaters
D003 (Reactive cyanides subcategory--based on 35 Ill. Adm. Code 721.123(a)(5))	NA	Cyanides (Total) 57-12-5 Cyanides (Amendable) 57-12-5	Res. 0.86	# 590. C 30.
D004 Table A Arsenic		7440-38-2	5.0	NA
D005 Table A Barium		7440-39-3	100.	NA
D006 Table A Cadmium		7440-43-9	1.0	NA
D007 Table A Chromium (Total)		7440-47-32	5.0	NA
D008 Table A Lead		7439-92-1	5.0	NA
D009 Table A Mercury		7439-97-6	0.20	NA
D010 Table A Selenium		7782-49-2	1.0	NA
D011 Table A Silver		7440-22-4	5.0	NA
D012 Table D Endrin		720-20-8	NA	0.13 A
D013 Table D Lindane		58-89-9	NA	0.066 A

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D014 Table D Methoxychlor	72-43-5	NA	0.18 A
D015 Table D Toxaphene	8001-35-1	NA	1.3 A
D016 Table D 2,4-D	94-75-7	NA	10.0 A
D017 Table D 2,4,5-TP (Silex)	93-76-5	NA	7.9 A
F001-F005 spent solvents			
Acetone	67-64-1	0.28	160.
Benzene	71-43-2	0.070	3.7 A
n-Butyl alcohol	71-36-3	5.6	2.6
Carbon tetra-chloride	56-23-5	0.057	5.6
Chlorobenzene	108-90-7	0.057	5.7
Cresol (m- and p-isomers)		0.77	3.2
o-cresol		0.11	5.6
o-Dichloro-benzene	95-50-1	0.088	6.2
Ethyl acetate	141-7-6	0.34	33.
Ethyl benzene	100-41-4	0.057	6.0
Ethyl ether	60-29-7	0.12	160.
Isobutyl alcohol	78-83-1	5.6	170.
Methylene-chloride	75-9-2	0.089	33.
Methyl ethyl ketone	78-93-3	0.28	36.
Methyl isobutyl ketone	108-10-1	0.14	33.
Nitrobenzene	98-95-3	0.068	14.
Pyridine	110-86-1	0.014	16.
Tetrachloro-ethylene	127-18-4	0.056	5.6
Toluene	108-88-3	0.08	28.
1,1,1-Trichloro-ethane	71-55-6	0.054	5.6
1,1,2-Trichloro-ethane	79-00-5	0.030	7.6 A
Trichloro-ethylene	79-01-6	0.054	5.6
1,1,2-Tri-chloro-1,2,2-trifluoro-methane	76-13-1	0.057	28.
Trichloromono-fluorome-thane	75-69-4	0.02	33.

[illegible]

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F037	Table A	ethane	79-00-5	0.054 B	6.2 A
		Trichloroethylene	79-01-6	0.054 B	5.6 A
		Vinyl chloride	75-01-4	0.27 B	33. A
		Hexachlorobenzene	118-74-1	0.055 B	37. A
		Hexachloro-butadiene	87-68-3	0.055 B	28. A
		Hexachloroethane	67-72-1	0.055 B	30. A
		Acenaphthene	208-96-8	0.059 B	NA
		Anthracene	120-12-7	0.059 B	28. A
		Benzene	71-43-2	0.14 B	14. A
		Benze(a)anthracene	50-32-8	0.059 B	20. A
		Benzo(a)pyrene	117-81-7	0.061 B	12. A
		Bis(2-ethylhexyl) phthalate	75-15-0	0.28 B	7.3 A
		Chrysene	218-01-9	0.059 B	15. A
		Di-n-butyl phthalate	105-67-9	0.057 B	3.6 A
		Ethylbenzene	100-41-4	0.057 B	14. A
		Fluorene	86-73-7	0.059 B	NA
		Naphthalene	91-20-3	0.059 B	42. A
		Phenanthrene	85-01-8	0.059 B	34. A
		Phenol	108-95-2	0.039 B	3.6 A
		Pyrene	129-00-0	0.067 B	14. A
F038	Table A	Toluene	108-88-3	0.08 B	22. A
		Xylene(s)	57-12-5	0.32 B	1.8 A
		Cyanides (Total)	7440-47-32	0.028 B	NA
		Chromium (Total)	7439-92-1	0.2	NA
		Lead	7439-92-1	0.037	NA
		Benzene	71-43-2	0.14 B	14. A
		Benzo(a)pyrene	50-32-8	0.061 B	12. A
		Bis(2-ethylhexyl) phthalate	117-81-7	0.28 B	7.3 A
		Chrysene	218-01-9	0.059 B	15. A
		Di-n-butyl phthalate	84-74-2	0.057 B	3.6 A
F039	Table A	Ethylbenzene	100-41-4	0.057 B	14. A
		Fluorene	86-73-7	0.059 B	NA
		Naphthalene	91-20-3	0.059 B	42. A
		Phenanthrene	85-01-8	0.059 B	34. A
		Phenol	108-95-2	0.039 B	3.6 A
		Pyrene	129-00-0	0.067 B	36. A
		Toluene	108-88-3	0.080 B	14. A
		Xylene(s)	57-12-5	0.32 B	1.8 A
		Cyanides (Total)	7440-47-32	0.028 B	NA
		Chromium (Total)	7439-92-1	0.2	NA

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F039	(and D001 and D002 wastes prohibited under Section 728.137)	Xylene(s)	57-12-5	0.32 B	22. A
		Cyanides (Total)	7440-47-32	0.028 A	1.8 A
		Chromium (Total)	7439-92-1	0.2	NA
		Lead	7439-92-1	0.037	NA
		Acetone	67-64-1	0.28 B	160. A
		Acenaphthalene	208-96-8	0.059 B	3.4 A
		Acenaphthene	83-32-9	0.059 B	4.0 A
		Acetonitrile	75-05-8	0.17 B	NA
		Acetophenone	96-86-2	0.010 B	9.7 A
		2-Acetylaminofluorene	53-96-3	0.059 B	140. A
		Acroliene	107-02-8	0.29 B	NA
		Acrylonitrile	107-13-1	0.24 B	84. A
		Acrolein	107-2-8	0.029-B	NA
		Aldrin	309-00-2	0.021 B	0.068 A
		4-Aminobiphenyl	92-67-1	0.13 B	NA
		Aniline	62-53-3	0.81 B	14. A
		Anthracene	120-12-7	0.059 B	4.0 A
		Aramite	140-57-8	0.36 B	NA
		Aroclor 1016	12674-11-2	0.013 B	0.92 A
		Aroclor 1221	11104-28-2	0.014 B	0.92 A
F038	Table A	Aroclor 1232	11141-16-5	0.013 B	0.92 A
		Aroclor 1242	53469-21-9	0.017 B	0.92 A
		Aroclor 1248	12672-29-6	0.013 B	0.92 A
		Aroclor 1254	11097-69-1	0.014 B	1.8 A
		Aroclor 1260	11096-82-5	0.014 B	1.8 A
		alpha-BHC	319-84-6	0.0014 B	0.066 A
		beta-BHC	319-85-7	0.0014 B	0.066 A
		delta-BHC	319-86-8	0.023 B	0.066 A
		gamma-BHC	58-89-9	0.0017 B	0.066 A
		Benzene	71-43-2	0.14 B	36. A
		Benzo(a)anthracene	56-55-3	0.059 B	8.2 A
		Benzo(b)fluoranthene	205-99-2	0.055 B	3.4 A
		Benzo(k)fluoranthene	207-08-9	0.059 B	3.4 A
		Benzo(ghi,perylene	191-24-2	0.0055 B	1.5 A
		Benzo(a)pyrene	50-32-8	0.061 B	8.2 A
		Bromodichloromethane	75-27-4	0.35 B	15. A
		Bromoform	75-25-2	0.63 B	15. A
		(Tribromomethane)	75-25-2	0.63 B	15. A

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Bromethane (methyl bromide)	74-63-9	0.11 B	15. A
4-Bromophenyl phenyl ether	101-55-3	0.055 B	15. A
n-Butyl alcohol	71-36-3	5.6 B	2.6 A
Butyl benzyl phthalate	85-68-7	0.017 B	7.9 A
2-sec-Butyl-4,6- dinitrophenol	88-85-7	0.066 B	2.5 A
Carbon tetrachloride	56-23-5	0.057 B	5.6 A
Carbon disulfide	75-15-0	0.014 B	NA
Chlordane	57-74-9	0.0033 B	0.13 A
p-Chloroaniline	106-47-8	0.46 B	16.
Chlorobenzene	108-90-7	0.057 B	5.7 A
Chlorbenzilate	510-15-6	0.10 B	NA
2-Chloro-1,3- butadiene	126-99-8	0.057 B	NA
Chlorodibrom- omethane	124-48-1	0.057 B	16. A
Chloroethane	75-00-3	0.27 B	6.0 A
bis(2-Chloroethoxy) methane	111-91-1	0.036 B	7.2 A
bis(2-Chloroethyl) ether	111-44-4	0.033 B	7.2 A
Chloroform	67-66-3	0.046 B	5.6 A
bis(2-chloro- isopropyl) ether	39638-32-9	0.055 B	7.2 A
p-Chloro-m cresol	59-50-7	0.018 B	14. A
Chloromethane (Methyl chloride)	74-87-3	0.19 B	33. A
2-Chloronaph- thalene	91-8-7	0.055 B	5.6 A
2-Chlorophenol	95-57-8	0.044 B	5.7 A
3-Chloropropene	107-05-1	0.036 B	28. A
Chrysene	218-01-9	0.059 B	8.2 A
o-Cresol	95-48-7	0.11 B	5.6 A
Cresol (m- and p-isomers)		0.77 B	3.2 A
Cyclohexanone	108-94-1	0.36 B	NA
1,2-Dibromo-3- chloropropene	96-12-8	0.11 B	15. A
1,2-Dibromoethane (Ethylene dibromide)	106-93-4	0.028 B	15. A
Dibromomethane	74-95-3	0.11 B	15. A
2,4-Dichloro- phenoxyacetic			

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acid (2,4-D)	94-75-7	0.72 B	10. A
o,p'-DDD	53-19-0	0.023 B	0.087 A
p,p'-DDD	72-54-8	0.023 B	0.087 A
o,p'-DDE	3424-82-6	0.031 B	0.087 A
p,p'-DDE	72-55-9	0.031 B	0.087 A
o,p'-DDT	789-02-6	0.0039 B	0.087 A
p,p'-DDT	50-29-3	0.0039 B	0.087 A
Dibenzo(a,h) anthracene	53-70-3	0.055 B	8.2 A
Dibenzo(a,e)			
pyrene	192-65-4	0.061 B	NA
m-Dichloro- benzene	541-73-1	0.036 B	6.2 A
o-Dichloro- benzene	95-50-1	0.088 B	6.2 A
p-Dichlorobenzene	106-46-7	0.090 B	6.2 A
Dichlorodifluoro- methane	75-71-8	0.23 B	7.2 A
1,1-Dichloroethane	75-34-3	0.059 B	7.2 A
1,2-Dichloroethane	107-06-2	0.21 B	7.2 A
1,1-Dichloroethy- lene	75-35-4	0.025 B	33. A
trans-1,2,- Dichloroethylene		0.054 B	33. A
2,4-Dichloro- phenol	120-83-2	0.044 B	14. A
2,6-Dichloro- phenol	87-65-0	0.044 B	14. A
1,2-Dichloro- propane	8-87-5	0.85 B	18. A
cis-1,3-Dichloro- propene	10061-01-5	0.036 B	18. A
trans-1,3-Dichloro- propene	10061-02-6	0.036 B	18. A
Dieldrin	60-57-1	0.017 B	0.13 A
Diethyl phthalate	84-66-2	0.20 B	28. A
2,4-Dimethyl phenol	105-67-9	0.036 B	14. A
Dimethyl phthalate	131-11-3	0.047 B	28. A
Di-n-butyl phthalate	84-74-2	0.057 B	28. A
1,4-Dinitro- benzene	100-25-4	0.32 B	2.3 A
4,6-Dinitro-o- cresol	534-52-1	0.28 B	160. A
2,4-Dinitroph- enol	51-28-5	0.12 B	160. A

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2,4-Dinitro- toluene	121-14-2	0.32 B	140. A
2,6-Dinitro- toluene	606-20-2	0.55 B	28. A
Di-n-octyl phthalate	117-84-0	0.017 B	28. A
Di-n-propylnitro- soamine	621-64-7	0.40 B	14. A
Diphenylamine	122-39-4	0.52 B	NA
1,2-Diphenyl hydrazine	122-66-7	0.087 B	NA
Diphenylnitro- samine	621-64-7	0.40 B	NA
1,4 Dioxane	123-91-1	0.12 B	170. A
Disulfoton	298-04-4	0.017 B	6.2 A
Endosulfan I	939-98-8	0.023 B	0.066 A
Endosulfan II	33213-6-5	0.029 B	0.13 A
Endosulfan sufate	1031-07-8	0.029 B	0.13 A
Endrin	72-20-8	0.0028 B	0.13 A
aldehyde	7421-93-4	0.025 B	0.13 A
Ethyl acetate	141-78-6	0.34 B	33. A
Ethyl cyanide	107-12-0	0.24 B	360. A
Ethyl benzene	100-41-4	0.057 B	6.0 A
Ethyl ether	60-29-7	0.12 B	160. A
bis(2-Ethylhexyl) phthalate	117-81-7	0.28 B	28. A
Ethyl methacrylate	97-63-2	0.14 B	160. A
Ethylene oxide	75-21-8	0.12 B	NA
Famphur	52-85-7	0.017 B	15. A
Fluoranthene	206-44-0	0.068 B	8.2 A
Fluorene	86-73-7	0.059 B	4.0 A
Fluorotrichl- oromethane	75-69-4	0.020 B	33. A
Heptachlor	76-44-8	0.0012 B	0.066 A
Heptachlor epoxide	1024-57-3	0.016 B	0.066 A
Hexachloro- benzene	118-74-1	0.055 B	37. A
Hexachloro- butadiene	87-68-3	0.055 B	28. A
Hexachlorocyc- lopentadiene	77-47-4	0.057 B	3.6 A
Hexachlorodi- benzofurans		0.000063 B	0.001 A
Hexachloro- dibenzo-p-			

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dioxins		0.000063 B	0.001 A
Hexachloro- ethane	67-72-1	0.055 B	28. A
Hexachloro- propene	1888-71-7	0.035 B	28. A
Indeno(1,2,3- c,d)pyrene	193-39-5	0.0055 B	8.2 A
Iodomethane	74-88-4	0.019 B	65. A
Isobutanol	78-83-1	5.6 B	170. A
Isodrin	465-73-6	0.021 B	0.066 A
Isosafrole	120-58-1	0.081 B	2.6 A
Kepone	143-50-8	0.0011 B	0.13 A
Methacrylo- nitrile	126-98-7	0.24 B	84. A
Methanol	67-56-1	5.6 B	NA
Methapyrene	91-80-5	0.081 B	1.5 A
Methanol	67-56-1	5-6-B	NA
Methoxychlor	72-43-5	0.25 B	0.18 A
3-Methylchol- anthrene	56-49-5	0.0055 B	15. A
bis-(2-chloro- aniline)	101-14-4	0.50 B	35. A
Methylene chloride	75-09-2	0.089 B	33. A
Methyl ethyl ketone	78-93-3	0.28 B	36. A
Methyl isobutyl ketone	108-10-1	0.14 B	33. A
Methyl methacrylate	80-62-6	0.14 B	160. A
Methyl methanesulfonate	66-27-3	0.018 B	NA
Methyl parathion	298-00-40	0.014 B	4.6 B
Naphthalene	91-20-3	0.059 B	3.1 A
2-Naphthylamine	91-59-8	0.52 B	NA
p-Nitroaniline	100-01-6	0.028 B	28. A
Nitrobenzene	98-95-3	0.068 B	14. A
5-Nitro-o- toluidine	99-55-8	0.32 B	28. A
4-Nitrophenol	100-02-7	0.12 B	29. A
N-Nitrosodiethy- lamine	55-18-5	0.40 B	28. A
N-Nitrosodimethy- lamine	62-75-9	0.40 B	NA
N-Nitroso-di-n- butylamine	924-16-3	0.40 B	17. A
N-Nitrosomethyl- ethylamine	105-95-6	0.40 B	2.3 A

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N-Nitrosomorpholine	59-89-2	0.40 B	2.3 A
N-Nitrosopiperidine	100-75-4	0.013 B	35. A
N-Nitrosopyrrolidine	930-55-2	0.013 B	35. A
Parathion	56-38-2	0.0.014 B	4.6 A
Pentachlorobenzene	608-93-5	0.055 B	37. A
Pentachlorodibenzo-furans		0.000063 B	0.001 A
Pentachlorodibenzo-p-dioxins		0.000063 B	0.001 A
Pentachloronitrobenzene	82-68-8	0.055 B	4.8 A
Phenol	87-86-5	0.089 B	7.4 A
Phenacetin	62-44-2	0.081 B	16. A
Phenanthrene	85-01-8	0.059 B	3.1 A
Phenol	108-95-2	0.039 B	6.2 A
Phorate	298-02-2	0.021 B	4.6 A
Phthalic anhydride	85-44-9	0.069 B	NA
Promide	23950-58-5	0.093 B	1.5 A
Pyrene	129-00-0	0.067 B	8.2 A
Pyridine	110-86-1	0.014 B	16. A
Safrole	94-59-7	0.081 B	22. A
Silvex (2,4,5-TP)	93-72-1	0.72 B	7.9 A
1,2,4,5-Tetrachlorobenzene	93-76-5	0.72 B	7.9 A
Tetrachlorodibenzofurans	95-94-3	0.055 B	19. A
Tetrachlorodibenzo-p-dioxins		0.000063 B	0.001 A
1,1,1,2-Tetrachloroethane	630-20-6	0.000063 B	0.001 A
1,1,2,2-Tetrachloroethane	79-34-6	0.057 B	42. A
Tetrachloroethylene	127-18-4	0.056 B	5.6 A
2,3,4,6-Tetrachlorophenol	58-90-2	0.030 B	37. A
Toluene	108-88-3	0.080 B	28. A
Toxaphene	8001-35-1	0.0095 B	1.3 A

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1,2,4-Trichlorobenzene	120-82-1	0.055 B	19. A
1,1,1-Trichloroethane	71-55-6	0.054 B	5.6 A
1,1,2-Trichloroethane	79-00-5	0.054 B	5.6 A
Trichloroethylene	79-01-6	0.054 B	5.6 A
2,4,5-Trichlorophenol	95-95-4	0.18 B	37. A
2,4,6-Trichlorophenol	88-06-2	0.035 B	37. A
1,2,3-Trichloropropane	96-18-4	0.85 B	28. A
1,1,2-Trichloro-1,2,2-trifluoroethane	76-13-1	0.057 B	28. A
Tris (2,3-dibromopropyl)-phosphate	126-72-7	.11 B	NA
Vinyl chloride	75-01-4	0.27 A	33. B
Xylene(s)		0.32 B	28. A
Cyanides (Total)	57-12-5	1.2 B	1.8 A
Fluoride	16964-48-8	35. B	NA
Sulfide	8496-25-8	14. B	NA
Antimony	7440-36-0	1.9 B	NA
Arsenic	7440-38-2	1.4 B	NA
Barium	7440-39-3	1.2 B	NA
Beryllium	7440-41-7	0.82 B	NA
Cadmium	7440-43-9	0.20 B	NA
Chromium (Total)	7440-47-32	0.37 B	NA
Copper	7440-50-8	1.3 B	NA
Lead	7439-92-1	0.28 B	NA
Mercury	7439-97-6	0.15 B	NA
Nickel	7440-02-0	0.55 B	NA
Selenium	7782-49-2	0.82 B	NA
Silver	7440-22-4	0.29 B	NA
Thallium	7440-28-0	1.4 B	NA
Vanadium	7440-62-2	0.042 B	NA
Zinc	7440-66-0	1.0 B	NA
Naphthalene	91-20-3	0.031 A	1.5 A
Pentachlorophenol	87-86-5	0.031 A	1.5 A
Phenanthrene	85-01-8	0.18 A	7.4 A
Pyrene	129-00-0	0.028 A	1.5 A
Toluene	108-88-3	0.028 A	28. A
Xylenes (Total)		0.032 A	33. A

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K002	Table A	Lead	7439-92-1	0.037 A	NA
		Chromium (Total)	7440-47-32	2.9 B	NA
		Lead	7439-92-1	3.4 B	NA
K003	Table A	Chromium (Total)	7440-47-32	0.9 B	NA
		Lead	7439-92-1	3.4 B	NA
K004	Table A	Chromium (Total)	7440-47-32	0.9 B	NA
		Lead	7439-92-1	3.4 B	NA
K005	Table A	Chromium (Total)	7440-47-32	0.9 B	NA
		Lead	7439-92-1	3.4 B	NA
		Cyanides (Total)	57-12-5	0.74 B	D
K006	Table A	Chromium (Total)	7440-47-32	0.9 B	NA
		Lead	7439-92-1	3.4 B	NA
K007	Table A	Chromium (Total)	7440-47-32	0.9 B	NA
		Lead	7439-92-1	3.4 B	NA D
		Cyanides (Total)	57-12-5	0.74 B	
K008	Table A	Chromium (Total)	7440-47-32	0.9 B	NA
		Lead	7439-92-1	3.4 B	NA
K009	NA	Chloroform	67-66-3	0.1	6.0 A
K010	NA	Chloroform	67-66-3	0.1	6.0
K011	NA	Acetonitrile	75-05-8	38.	1.8
		Acrylonitrile	107-13-1	0.06	1.4
		Acrylamide	79-06-1	19.	23.
		Benzene	71-43-2	0.02	0.03
		Cyanide (Total)	57-12-5	21.	57.
K013	NA	Acetonitrile	75-05-8	38.	1.8 A
		Acrylonitrile	107-13-1	0.06	1.4 A
		Acrylamide	79-06-1		23. A
		Benzene	71-43-2	0.02	0.03 A

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		Cyanide (Total)	57-12-5	21.	57.
K014	NA	Acetonitrile	75-05-8	38.	1.8 A
		Acrylonitrile	107-13-1	0.06	1.4 A
		Acrylamide	79-06-1	19.	23. A
		Benzene	71-43-2	0.02	0.03 A
		Cyanide (Total)	57-12-5	21.	57.
K015	Table A	Anthracene	120-12-7	0.059	3.4 A
		Benzal Chloride	98-87-3	0.28	6.2 A
		Sum of Benzo-(b)fluoran-thene and Benzo-(k)fluoran-thene	207-08-9	0.055	3.4
		Phenanthrene	85-01-8	0.05	3.4 A
		Toluene	108-88-3	0.08	6.0 A
		Chromium (Total)	7440-47-32	0.32	NA
		Nickel	7440-02-0	0.44	NA
K016	NA	Hexachlorobenzene	118-74-1	0.055	28. A
		Hexachlorobutadiene	87-68-3	0.055	5.6 A
		Hexachlorocyclopentadiene	77-47-4	0.057	5.6 A
		Hexachloroethane	67-72-1	0.055	28. A
		Tetrachloroethene	127-18-4	0.056	6.0 A
K017	NA	1,2-Dichloropropane	78-87	0.85 A B	18. A
		1,2,3-Trichloropropane	96-18	0.85 A B	28. A
		Bis(2-chloroethoxy)ether	111-44	0.033 A B	7.2 A
K018	NA	Chloroethane	76-00-3	0.27	6.0 A
		Chloromethane	74-87-3	0.19	NA
		1,1-Dichloroethane	75-34-3	0.059	6.0 A
		1,2-Dichloroethane	107-06-2	0.21	6.0 A
		Hexachlorobenzene	118-74-1	0.055	28. A

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K019	NA	Hexachloro-butadiene	87-68-3	0.055	5.6 A	K023	NA	nitrosamine	108-95-2	NA	13. A
		Pentachloro-ethane	76-01-7	NA	5.6			Phenol	108-95-2	0.039	12. A
		1,1,1-Trichloro-ethane	71-55-6	0.054	6.0			Chromium (Total)	7440-47-32	0.35	NA
		Hexachloro-	67-72-1	0.055	28. A			Nickel	7440-02-0	0.47	NA
		Bis(2-chloro-ethyl)ether	111-44-4	0.033	5.6 A			Phthalic anhydride			
		Chlorobenzene	108-90-7	0.057	6.0 A			(measured as Phthalic acid)	85-44-9	0.069	28. A
		Chloroform	67-66-3	0.046	6.0 A			Phthalic anhydride			
		p-Dichloro-benzene	106-46-7	0.09	NA			(measured as Phthalic acid)	85-44-9	0.069	28. A
		1,2-Dichloro-ethane	107-06-2	0.21	6.0 A			Phthalic anhydride			
		Fluorene	86-73-7	0.059	NA			(measured as Phthalic acid)	85-44-9	0.069	28. A
K020	NA	Hexachloro-ethane	67-72-1	0.055	28. A	K024	NA	1,1-Dichloro-ethane	75-34-3	0.059	6.0 A
		Naphthalene	91-20-3	0.059	5.6 A			trans-1,2-Dichloro-ethene		0.054	6.0 A
		Phenanthrene	85-01-8	0.059	5.6 A			Hexachloro-butadiene	87-68-3	0.055	5.6 A
		1,2,4,5-Tetra-chlorobenzene	95-94-3	0.055	NA			Hexachloro-ethane	67-72-1	0.055	28. A
		Tetrachloro-ethene	127-18-4	0.056	6.0 A			Pentachloro-ethane	76-01-7	NA	5.6 A
		1,2,4-Trichloro-benzene	120-82-1	0.055	19. A			1,1,1,2-Tetra-chloroethane	630-20-6	0.057	5.6 A
		1,1,1-Trichloro-ethane	71-55-6	0.054	6.0 A			1,1,2,2-Tetra-chloroethane	79-34-6	0.057	5.6 A
		1,2-Dichloro-ethane	106-93-4	0.21	6.0 A			1,1,1-Tri-chloroethane	71-55-6	0.054	6.0 A
		1,1,2,2-Tetra-chloroethane	79-34-6	0.057	5.6 A			1,1,2-Trichloro-ethane	79-00-5	0.054	6.0 A
		Tetrachloro-ethene	127-18-4	0.056	6.0 A			Tetrachloro-ethylene	127-18-4	0.056	6.0 A
K021	Table A	Chloroform	67-66-3	0.046 B	6.2 A	K029	NA	Cadmium	7440-43-9	6.4	NA
		Carbon tetra-chloride	58-23-5	0.057 B	6.2 A			Chromium (Total)	7440-47-32	0.35	NA
		Antimony	7440-36-0	0.60 B	6.2 A			Lead	7439-92-1	0.037	NA
								Nickel	7440-02-0	0.47	NA
K022	Table A	Toluene	108-88-3	0.090 B	0.034 A			Chloroform	67-66-3	0.46	6.0 A
		Acetophenone	96-86-2	0.060 B	19. A			1,2-Dichloro-ethane	107-06-2	0.21	6.0 A
		Diphenylamine	22-39-4	0.52 B	NA			1,1-Dichloro-ethylene	75-35-4	0.025	6.0 A
		Diphenylnitro-samine	86-30-6	s 0.40	NA			1,1,1-Trichloro-			
		Sum of Diphenyl-amine and Diphenyl-									

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K030	NA	ethane Vinyl chloride	71-55-6	0.054	6.0 A
			75-01-4	0.27	6.0 A
		o-Dichloro- benzene	95-50-1	0.088	NA
		p-Dichloro- benzene	106-46-7	0.09	NA
		Hexachloro- butadiene	87-68-3	0.055	5.6 A
		Hexachloro- ethane	67-72-1	0.055	28. A
		Hexachloro- propene	1888-71-7	NA	19. A
		Pentachloro- benzene	608-93-5	NA	28. A
		Pentachloro- ethane	76-01-7	NA	5.6 A
		1,2,4,5-Tetra- chlorobenzene	95-94-3	0.055	14. A
		Tetrachloro- ethene	127-18-4	0.056	6.0 A
		1,2,4-Trichloro- benzene	120-82-1	0.055	19. A
K031	Table A	Arsenic	7440-38-2	0.79	NA
K032	NA	Hexachloro- cyclopenta- diene	77-47-4	0.057 B	24. A
		Chlordane	57-74-9	0.0033 B	0.26 A
		Heptachlor	76-44-8	0.0012 B	0.066 A
		Heptachlor epoxide	1024-57-3	0.016 B	0.066 A
K033	NA	Hexachloro- cyclopenta- diene	77-47-4	0.057 B	2.4 A
K034	NA	Hexachloro- cyclopenta- diene	77-47-4	0.057 B	2.4 A
K035	NA	Acenaphthene	83-32-9	NA	3.4 A
		Anthracene	120-12-7	NA	3.4 A
		Benz(a)an- thracene	56-55-3	0.59 B	3.4 A
		Benzo(a)- pyrene	50-32-8	NA	3.4 A

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		Chrysene	218-01-9	0.059 B	3.4 A
		Dibenz(a,h) anthracene	53-70-3	NA	3.4 A
		Fluoranthene	206-44-0	0.068 B	3.4 A
		Fluorene	86-73-7	NA	3.4 A
		Indeno(1,2,3-cd) pyrene	193-39-5	NA	3.4 A
		Cresols (m- and p-isomers)	91-20-3	0.077 B	NA
		Naphthalene	95-48-7	0.59 B	3.4 A
		o-Cresol	85-01-8	0.11 B	NA
		Phenanthrene	108-95-2	0.059 B	3.4 A
		Phenol	129-00-0	0.039	NA
		Pyrene	129-00-0	0.067 B	8.2 A
	K036	Disulfoton	298-04-4	0.025 B	0.1 A
	K037	Disulfoton	298-04-4	0.025 B	0.1 A
		Toluene	108-88-3	0.080 B	28. A
	K038	Phorate	298-02-2	0.025	0.1 A
	K040	Phorate	298-02-2	0.025	0.1 A
	K041	Toxaphene	8001-35-1	0.0095 B	2.6 A
	K042	1,2,4,5-Tetra- chlorobenzene	95-94-3	0.055 B	4.4 A
		o-Dichloro- benzene	95-50-1	0.088 B	4.4 A
		p-Dichloro- benzene	106-46-7	0.090 B	4.4 A
		Pentachloro- benzene	608-93-5	0.055 B	4.4 A
		1,2,4-Trichloro- benzene	120-82-1	0.055 B	4.4 A
	K043	2,4-Dichloro- phenol	120-83-2	0.044	0.38 A
		2,6-Dichloro- phenol	187-65-0	0.044	0.34 A
		2,4,5-Trichloro- phenol	95-95-4	0.18	8.2 A
		2,4,6-Trichloro- phenol	88-06-2	0.035	7.6 A
		Tetrachloro- phenols (Total)		NA	0.68 A
		Pentachloro- phenol	87-86-5	0.089	1.9 A

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K046	Table A	Tetrachloro-ethene	79-01-6	0.056	1.7 A
		Hexachloro-dibenzo-p-dioxins		0.000063	0.001 A
K048	Table A	Hexachloro-dibenzofurans		0.000063	0.001 A
		Pentachloro-dibenzo-p-dioxins		0.000063	0.001 A
K049	Table A	Pentachloro-dibenzo furans		0.000063	0.001 A
		Tetrachloro-dibenzo-p-dioxins		0.000063	0.001 A
K045	Table A	Tetrachloro-dibenzo furans		0.000063	0.001 A
		Lead	7439-92-1	0.037	NA
K048	Table A	Benzene	71-43-2	0.14 B	14. A
		Benzo(a)pyrene	50-32-8	0.061 B	12. A
K049	Table A	Bis(2-ethylhexyl) phthalate	117-81-7	0.28 B	7.3 A
		Chrysene	218-01-9	0.059 B	15. A
K049	Table A	Di-n-butyl phthalate	84-74-2	0.057 B	3.6 A
		Ethylbenzene	100-41-4	0.057 B	14. B
K049	Table A	Fluorene	86-73-7	0.059 B	NA
		Naphthalene	91-20-3	0.059 B	42. A
K049	Table A	Phenanthrene	85-01-8	0.059 B	34. A
		Phenol	108-95-2	0.039 B	3.6 A
K049	Table A	Pyrene	129-00-0	0.067 B	36. A
		Toluene	108-88-3	0.080 B	14. A
K049	Table A	Xylene(s)		0.32 B	22. A
		Cyanides (Total)	57-12-5	0.028 B	1.8 A
K049	Table A	Chromium (Total)	7440-47-32	0.2	NA
		Lead	7439-92-1	0.037	NA
K049	Table A	Anthracene	120-12-7	0.059 B	28. A
		Benzene	71-43-2	0.014 B	14. A
K049	Table A	Benzo(a)pyrene	117-81-7	0.061 B	12. A
		Bis(2-ethylhexyl) phthalate	75-150-0	0.28 B	7.3 A
K049	Table A	Carbon disulfide	75-15-0	0.014 B	NA
		Chrysene	2218-01-9	0.059 B	15. A
K049	Table A	2,4-Dimethyl phenol	105-67-9	0.036 B	NA

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K050	Table A	Ethylbenzene	100-41-4	0.057 B	14. A
		Naphthalene	91-20-3	0.059 B	42. A
K050	Table A	Phenanthrene	85-01-8	0.059 B	34. A
		Phenol	108-95-2	0.039 B	3.6 A
K050	Table A	Pyrene	129-00-0	0.067 B	36. A
		Toluene	108-88-3	0.08 B	14. A
K050	Table A	Xylene(s)		0.32 B	22. A
		Cyanides (Total)	56-12-5	0.028 A	1.8 A
K050	Table A	Chromium (Total)	7440-47-32	0.2	NA
		Lead	7439-92-1	0.037	NA
K050	Table A	Benzo(a)pyrene	50-32-8	0.061 B	12. A
		Phenol	108-95-2	0.039 B	3.6 A
K050	Table A	Cyanides (Total)	57-12-5	0.028 A	1.8 A
		Chromium (Total)	7440-47-32	0.2	NA
K050	Table A	Lead	7439-92-1	0.037	NA
		Acenaphthene	208-96-8	0.059 B	NA
K050	Table A	Anthracene	120-12-7	0.059 B	28. A
		Benzene	71-43-2	0.14 B	14. A
K050	Table A	Benzo(a) anthracene	117-81-7	0.059 B	20. A
		Benzo(a)pyrene	117-81-7	0.061 B	12. A
K050	Table A	Bis(2-ethylhexyl) phthalate	75-15-0	0.28 B	7.3 A
		Chrysene	2218-01-9	0.059 B	15. A
K050	Table A	Di-n-butyl phthalate	105-67-9	0.057 B	3.6 A
		Ethylbenzene	100-41-4	0.057 B	14. A
K050	Table A	Fluorene	86-73-7	0.059 B	NA
		Naphthalene	91-20-3	0.059 B	42. A
K050	Table A	Phenanthrene	85-01-8	0.059 B	34. A
		Phenol	108-95-2	0.039 B	3.6 A
K050	Table A	Pyrene	129-00-0	0.067 B	36. A
		Toluene	108-88-3	0.08 B	14. A
K050	Table A	Xylene(s)		0.32 B	22. A
		Cyanides (Total)	57-12-5	0.028 A	1.8 A
K050	Table A	Chromium (Total)	7440-47-32	0.2	NA
		Lead	7439-92-1	0.037	NA
K050	Table A	Benzene	71-43-2	0.14 B	14. A
		Benzo(a)pyrene	50-32-8	0.061 B	12. A
K052	Table A	o-Cresol	95-48-7	0.11 B	6.2 A
		p-Cresol	106-44-5	0.77 B	6.2 A
K052	Table A	2,4-Dimethylphenol	105-67-9	0.036 B	NA
		Ethylbenzene	100-41-4	0.057 B	14. A
K052	Table A	Naphthalene	91-20-3	0.059 B	42. A
		Phenanthrene	85-01-8	0.059 B	34. A

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K060	NA	Phenol	108-95-2	0.039 B	3.6 A
		Toluene	108-88-3	0.08 B	14. A
		Xylene(s)		0.32 B	22. A
		Cyanides (Total)	56-12-5	0.028 A	1.8 A
		Chromium (Total)	7440-47-32	0.2	NA
		Lead	7439-92-1	0.037	NA
		Benzene	71-43-2	0.17 B	0.071 A
		Benzo(a)pyrene	50-32-8	0.035 B	3.6 A
		Naphthalene	91-20-3	0.028 B	3.4 A
		Phenol	108-95-2	0.042 B	3.4 A
K061	Table A	Cyanides (Total)	57-12-5	1.9	1.2
		Cadmium	7440-43-9	1.61	NA
		Chromium (Total)	7440-47-32	0.32	NA
		Lead	7439-92-1	0.51	NA
		Nickel	7440-02-0	0.44	NA
K062	Table A	Chromium (Total)	7440-47-32	0.32	NA
		Lead	7439-92-1	0.04	NA
		Nickel	7440-02-0	0.44	NA
K069	Tables A & D	Cadmium	7440-43-9	1.6	NA
		Lead	7439-92-1	0.51	NA
K071	Table A	Mercury	7439-97-6	0.030	NA
K073	NA	Carbon tetra- chloride	58-23-5	0.057 B	6.2 A
		Chloroform	67-66-3	0.046 B	6.2 A
		Hexachloroethane	67-72-1	0.055 B	30. A
		Tetrachloroethene	127-18-4	0.056 B	6.2 A
		1,1,1-Trichloro- ethene	71-55-6	0.054 B	6.2 A
K083	Table A	Benzene	71-43-2	0.14 B	6.6 A
		Aniline	62-53-3	0.81 B	14. A
		Diphenylamine	22-39-4	0.52 B	NA
		Diphenylnitro- samine	86-30-6	0.40 B	NA
		Sum of Diphenyl- amine and Diphenyl- nitrosamine		NA	a 14.
		Nitrobenzene	98-95-3	0.068 B	14. A
		Phenol	108-95-2	0.039	5.6 A
		Cyclohexanone	108-94-1	0.36	30. A
		Nickel	7440-02-0	0.47	NA

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K084	NA	Arsenic	7440-38-2	0.79	NA
K085	NA	Benzene	71-43-2	0.14 B	4.4 A
		Chlorobenzene	108-90-7	0.057 B	4.4 A
		o-Dichlorobenzene	95-50-1	0.088 B	4.4 A
		m-Dichlorobenzene	541-73-1	0.036 B	4.4 A
		p-Dichlorobenzene	106-46-7	0.090 B	4.4 A
		1,2,4-Trichloro- benzene	120-82-1	0.055 B	4.4 A
		1,2,4,5-Tetra- chlorobenzene	95-94-3	0.055 B	4.4 A
		Pentachloro- benzene	608-93-5	0.055	4.4 A
		Hexachlorobenzene	118-74-1	0.055 B	4.4 A
		Aroclor 1016	12674-11-2	0.013 B	0.9 A
		Aroclor 1221	11104-28-2	0.014 B	0.92 A
		Aroclor 1232	11141-16-5	0.013 B	0.92 A
		Aroclor 1242	53469-21-9	0.017 B	0.92 A
		Aroclor 1248	12672-29-6	0.013 B	0.92 A
		Aroclor 1254	11097-69-1	0.014 B	1.8 A
		Aroclor 1260	11096-82-5	0.014 B	1.8 A
K086	Table A	Acetone	67-64-1	0.28	160. A
		Acetophenone	96-86-2	0.010	9.7 A
		Bis(2-ethylhexyl) phthalate	117-81-7	0.28 B	28. A
		n-Butyl alcohol	71-36-3	5.6	2.6 A
		Butylbenzyl phthalate	85-68-7	0.017 B	7.9 A
		Cyclohexanone	108-94-1	0.36	NA
		1,2-Dichloro- benzene	95-50-1	0.088	6.0 A
		Diethyl phthalate	84-66-2	0.20	28.
		Dimethyl phthal ate	131-11-3	0.047 B	28. A
		Di-n-butyl phthal ate	84-74-2	0.057 B	28. A
		Di-n-octyl phthal ate	117-84-0	0.017 B	28. A
		Ethyl acetate	141-78-6	0.34 B	33. A
		Ethylbenzene	100-41-4	0.057 B	6.0 A
		Methanol	67-56-1	5.6 B	NA
		Methyl isobutyl ketone	108-10-1	0.14	33. A
		Methyl ethyl ketone	78-93-3	0.28	36. A
		Methylene chloride	75-09-2	0.089 B	33. A
		Naphthalene	91-20-3	0.059 B	3.1 A
		Nitrobenzene	98-95-3	0.068 B	14. A

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K087	<u>Table A</u>	Toluene	108-88-3	e0.080 <u>B</u>	a28. <u>A</u>
		1,1,1-Trichloro-ethane	71-55-6	e0.054 <u>B</u>	a5.6 <u>A</u>
		Trichloroethylene	79-01-6	e0.054 <u>B</u>	a5.6 <u>A</u>
		Xylene(s)(Total) (Total)	57-12-5	e0.32 <u>B</u>	a28. <u>A</u>
		Cyanides (Total)	7440-47-32	1.9	1.5
		Chromium (Total)	7439-92-1	0.32	NA
		Lead		0.037	NA
		Acenaphthalene	208-96-8	e0.059 <u>B</u>	3.4
		Benzene	71-43-2	e0.014 <u>B</u>	e0.071 <u>A</u>
		Chrysene	218-01-9	e0.059 <u>B</u>	a3.4 <u>A</u>
K093	<u>NA</u>	Fluoranthene	206-44-0	e0.068 <u>B</u>	a3.4 <u>A</u>
		Indeno (1,2,3-cd)pyrene	193-39-5	e0.0055 <u>B</u>	a3.4 <u>A</u>
		Naphthalene	91-20-3	e0.059 <u>B</u>	a3.4 <u>A</u>
		Phenanthrene	85-01-8	e0.059 <u>B</u>	a3.4 <u>A</u>
		Toluene	108-88-3	e0.08 <u>B</u>	e0.65 <u>A</u>
		Xylene(s)		e0.32 <u>B</u>	e0.07 <u>A</u>
		Lead	7439-92-1	0.037	NA
		Phthalic anhydride (measured as Phthalic acid)	85-44-9	0.69	a28. <u>A</u>
		Phthalic anhydride (measured as Phthalic acid)	85-44-9	0.69	a28. <u>A</u>
		Phthalic anhydride (measured as Phthalic acid)	85-44-9	0.69	a28. <u>A</u>
K095	<u>NA</u>	1,1,1,2-Tetrachloroethane	630-20-6	0.057	a5.6 <u>A</u>
		1,1,2,2-Tetrachloroethane	79-34-6	0.057	a5.6 <u>A</u>
		Tetrachloroethene	127-18-4	0.056	a6.0 <u>A</u>
		1,1,2-Trichloroethane	79-00-5	0.054	a6.0 <u>A</u>
		Trichloroethylene	79-01-6	0.054	a5.6 <u>A</u>
		Hexachloroethane	67-72-1	0.055	a28. <u>A</u>
		Pentachloroethane	76-01-7	0.055	a5.6 <u>A</u>
		1,1,1,2-Tetrachloroethane	630-20-6	0.057	a5.6 <u>A</u>
		1,1,2,2-Tetrachloroethane	79-34-6	0.057	a5.6 <u>A</u>
		Tetrachloroethene	127-18-4	0.056	a6.0 <u>A</u>
K096	<u>NA</u>	1,1,2-Trichloroethane	79-00-5	0.054	a6.0 <u>A</u>
		Trichloroethene			

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K097	<u>NA</u>	(Trichloroethylene) (Tri-chloroethylene)	79-01-6	0.054	a5.6 <u>A</u>
		1,3-Dichlorobenzene	541-73-1	0.036	a5.6 <u>A</u>
		Pentachloroethane	76-01-7	0.055	a5.6 <u>A</u>
		1,2,4-Trichlorobenzene	120-82-1	0.055	a19. <u>A</u>
		Hexachlorocyclopentadiene	77-47-4	e0.057 <u>B</u>	2.4
		Chlordane	57-74-9	e0.0033 <u>B</u>	a0.26 <u>A</u>
		Heptachlor	76-44-8	e0.0012 <u>B</u>	a0.066 <u>A</u>
		Heptachlor epoxide	1024-57-3	e0.016 <u>B</u>	a0.066 <u>A</u>
		Toxaphene	8001-35-1	e0.0095 <u>B</u>	a2.6 <u>A</u>
		2,4-Dichlorophenoxyacetic acid	94-75-7	a1.0 <u>A</u>	a1.0 <u>A</u>
K098	<u>NA</u>	Hexachlorodibenzop-dioxins		e0.001 <u>A</u>	a0.001 <u>A</u>
		Hexachlorodibenzofurans		e0.001 <u>A</u>	a0.001 <u>A</u>
		Pentachlorodibenzop-dioxins		e0.001 <u>A</u>	a0.001 <u>A</u>
		Pentachlorodibenzofurans		e0.001 <u>A</u>	a0.001 <u>A</u>
		Tetrachlorodibenzop-dioxins		e0.001 <u>A</u>	a0.001 <u>A</u>
		Tetrachlorodibenzofurans		e0.001 <u>A</u>	a0.001 <u>A</u>
		Cadmium	7440-43-9	1.6	NA
		Chromium (Total)	7440-47-32	0.32	NA
		Lead	7439-92-1	0.51	NA
		o-Nitroaniline		e0.27 <u>A</u>	a14. <u>A</u>
K100	<u>Table A</u>	Arsenic	7440-38-2	0.79	NA
		Cadmium	7440-43-9	0.24	NA
		Lead	7439-92-1	0.17	NA
		Mercury	7439-97-6	0.082	NA
		o-Nitrophenol		e0.028 <u>A</u>	a13. <u>A</u>
		Arsenic	7440-38-2	0.79	NA
		Cadmium	7440-43-9	0.24	NA
		Lead	7439-92-1	0.17	NA
		Mercury	7439-97-6	0.082	NA

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K103	NA	Aniline Benzene 2,4-Dinitro- phenol Nitrobenzene Phenol	62-53-3 71-43-2 51-28-5 98-95-3 108-95-2	a 4.5 A a 0.15 A a0.61 A a0.073 A a1.4 A	5.6 a 6.0 A a5.6 A a5.6 A a5.6 A
K104	NA	Aniline Benzene 2,4-Dinitro- phenol Nitrobenzene Phenol Cyanides (Total)	62-53-3 71-43-2 51-28-5 98-95-3 108-95-2 57-12-5	a4.5 A a0.15 A a0.61 A a0.073 A a1.4 A 2.7	a5.6 A a6.0 A a5.6 A a5.6 A a5.6 A a1.8 A
K105	NA	Benzene Chlorobenzene o-Dichloro benzene p-Dichloro benzene 2,4,5-Trichloro- phenol 2,4,6-Trichloro- phenol 2-Chlorophenol Phenol	71-43-2 108-90-7 95-50-1 106-46-7 95-95-4 88-06-2 95-57-8 108-95-2	0.14 0.057 0.088 0.090 0.18 0.035 0.044 0.039	a4.4 A a4.4 A a4.4 A a4.4 A a4.4 A a4.4 A a4.4 A a4.4 A
K106	Tables A & D	Mercury	7439-97-6	0.030	NA
K115	Table A	Nickel	7440-02-0	0.47	NA
K111	NA	2,4-Dinitro- toluene 2,6-Dinitro- toluene	121-14-2 606-20-2	0.32 0.55	a140. A a28. A
K117	NA	Ethylene dibromide Methyl bromide Chloroform	106-93-4 74-83-9 67-66-3	0.028 0.11 0.046	a15. A a15. A a5.6 A
K118	NA	Ethylene dibromide Methyl bromide Chloroform	106-93-4 74-83-9 67-66-3	0.028 0.11 0.046	a15. A a15. A a5.6 A

K131	<u>NA</u>	Methyl bromide	74-83-9	0.11	a15. <u>A</u>
K132	<u>NA</u>	Methyl bromide	74-83-9	0.11	a15. <u>A</u>
K136	<u>NA</u>	Ethylene dibromide Methyl bromide Chloroform	106-93-4 74-83-9 67-66-3	0.028 0.11 0.46	a15. <u>A</u> a15. <u>A</u> a5.6 <u>A</u>
a	Treatment standards for this organic constituent were established based upon incineration in units operated in accordance with the technical requirements of 35 ill. Adm. Code 724-Subpart-Q or 725-Subpart-Q or based upon combustion in fuel substitution units operating in accordance with applicable technical requirements. A facility may certify compliance with these treatment standards according to provisions in Section 720.107.				
c	Based on analysis of composite samples.				
R	As analyzed using SW-846 Method 9010 or 9012 sample size 10g distillation time one hour fifteen and minutes.				
NA	Not Applicable.				
TABLE B (CCW): P AND U LISTED WASTES					
Waste Code	Commercial Chemical Name	See Also	CAS No. for Regulated Hazardous Constituent	Concentration (mg/L) Non-waste waters	
P004	Aldrin	NA	Aldrin	0.21 <u>B</u>	0.066 <u>A</u>
P010	Arsenic acid	Table A	Arsenic	0.79	NA
P011	Arsenic pentoxide	Table A	Arsenic	0.79	NA
P012	Arsenic trioxide	Table A	Arsenic	0.79	NA
P013	Barium cyanide	Table A	Cyanides (Total) Cyanides (Amenable)	1.9 0.1	110. 9.1
P020	2-sec-Butyl-4,6-dinitrophenol	<u>NA</u>	2-sec-Butyl-4,6-dinitrophenol	0.066	5 <u>A</u>

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(Dinoseb)	(Dinoseb)				
P021 Calcium cyanide	NA	Cyanides (Total)	57-12-5	1.9	110.
		Cyanides (Amenable)	57-12-5	0.1	9.1
P022 Carbon-di-sulfide	Table D	Carbon-di-sulfide	75-15-0	0.014	NA
P024 p-Chloro-aniline	NA	p-Chloro-aniline	106-47-8	0.46	6. A
P029 Copper cyanide	NA	Cyanides (Total)	57-12-5	1.9	110.
		Cyanides (Amenable)	57-12-5	0.1	9.1
P030 Cyanides (soluble salts and complexes)	NA	Cyanides (Total)	57-12-5	1.9	110.
		Cyanides (Amenable)	57-12-5	0.1	9.1
P036 Dichloro-phenylarsine A	Table A	Arsenic	7440-38-2	0.79	NA
P037 Dieldrin	NA	Dieldrin	60-57-1	0.17 B	0.13 A
P038 Diethyl-arsine	Table A	Arsenic	7440-38-2	0.79	NA
P039 Disulfoton	NA	Disulfoton	298-04-4	0.017	1 A
P047 4,6-Dinitro-o-cresol	NA	4,6-Dinitro-o-cresol	534-52-4	28 B	10. A
P048 2,4-Dinitro-phenol	NA	2,4-Dinitro-phenol	51-28-5	012 B	10. B
P050 Endosulfan	NA	Endosulfan I	939-98-8	0.23 B	0.66 A
		Endosulfan II	33213-6-5	0.29 B	0.13 A
		Endosulfan sulfate	1031-07-8	0.29 B	0.13 A
P051 Endrin	NA	Endrin	72-20-8	.028 B	0.13 A
		Endrin aldehyde	7421-93-4	0.25 B	0.13 A

P056 Fluoride	Table D	Fluoride	18694-48-8	35.	NA
P059 Heptachlor	NA	Heptachlor Heptachlor epoxide	76-44-8 1024-57-3	0.012 B 0.16 B	0.66 A 0.66 A
P060 Isodrin	NA	Isodrin	465-73-6	0.21 B	0.66 A
P063 Hydrogen cyanide	NA	Cyanides (Total)	57-12-5	1.9	110.
		Cyanides (Amenable)	57-12-5	0.10	9.1
P065 Mercury fulminate	Tables A & D	Mercury	7439-97-6	0.030	NA
P071 Methyl parathion	NA	Methyl parathion	298-00-0	0.025	.1 A
P073 Nickel carbonyl	Table A	Nickel	7440-02-0	0.32	NA
P074 Nickel cyanides	Table A	Cyanides (Total)	57-12-5	1.9	110.
		Cyanides (Amenable)	57-12-5	0.10	9.1
		Nickel	7440-02-0	0.44	NA
P077 p-Nitro-aniline	NA	p-Nitro-aniline	100-01-6	0.28 B	8. A
P082 N-Nitroso-dimethyl-amine	Table D	N-Nitroso-dimethylamine	62-75-9	0.40 B	NA
P089 Parathion	NA	Parathion	56-38-2	0.025	.1 A
P092 Phenyl-mercury acetate	Tables A & D	Mercury	7439-97-6	0.030	NA
P094 Phorate	NA	Phorate	298-02-2	0.025	.1 A
P097 Famphur	NA	Famphur	52-85-7	0.025	.1 A
P098 Potassium cyanide	NA	Cyanides (Total)	57-12-5	1.9	110.

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P099 Potassium silver cyanide	Table A	Cyanides (Amenable)	57-12-5 0.10 9.1
		Cyanides	57-12-5 0.10 9.1
P101 Ethyl cyanide (Propane-nitrile)	NA	Toxaphene	8001-35-1 0.095 B .3 A
		Acetone	67-64-1 0.28 10.
P103 Selenourea	Table A	Acetonitrile	75-05-8 0.17 .17
		Acetophenone	98-86-2 0.10 A .7 A
P104 Silver cyanide	Table A	2-Acetyl-aminofluorene	53-96-3 0.59 B 140. A
		Acrylonitrile	107-13-1 0.24 A 4. A
P106 Sodium cyanide	NA	Aniline	62-53-3 0.81 4. A
		Benz(a)-anthracene	56-55-3 0.59 B .2 A
P110 Tetraethyl lead	Tables A & D	Benzene	71-43-2 14 B 6. A
		Benzo(a)-pyrene	50-32-8 0.61 B .2 A
P113 Thallium oxide	Table D	Bis(2-chloroethoxy)-methane	111-91-1 0.036 .2 A
P114 Thallium selenite	Table A	Bis(2-chloroethyl) ether	111-44-4 0.033 .2 A
P115 Thallium(I) sulfate	Table D	Bis(2-chloro-isopropyl) ether	39638-32-9 .055 .2 A
P119 Ammonia vanadate	Table D	Bis(2-ethylhexyl) phthalate	117-81-7 0.28 A 28. A
P120 Vanadium pentoxide	Table D		
P121 Zinc cyanide	NA		

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U071	m-Dichloro- benzene	NA	m-Dichloro- benzene	541-73-1	0.036	6.2 A	aminoazo- benzene	D	U101	2,4-Di- methyl phenol	NA	2,4-Di- methyl phenol	105-67-9	0.036 B	14. A
U072	p-Dichloro- benzene	NA	p-Dichloro- benzene	104-46-7	0.90 B	6.2 A	aminoazo- benzene	NA	U102	Dimethyl phthalate	NA	Dimethyl phthalate	131-11-3	0.047	28. A
U075	Dichlorodi- fluoro- methane	NA	Dichlorodi- fluoro- methane	75-71-8	0.23 B	7.2 A	aminoazo- benzene	NA	U105	2,4-Di- nitro- toluene	NA	2,4-Di- nitro- toluene	121-14-2	0.32 B	140. A
U076	1,1-Di- chloroethane	NA	1,1-Dichloro-75-34-3 ethane	75-34-3	0.59 B	7.2 A	aminoazo- benzene	NA	U106	2,6-Di- nitro- toluene	NA	2,6-Di- nitro- toluene	606-20-2	0.55 B	28. A
U077	1,2-Di- chloroethane	NA	1,2-Dichloro-107-06-2 ethane	107-06-2	0.21 B	7.2 A	aminoazo- benzene	NA	U107	Di-n-octyl phthalate	NA	Di-n- octyl phthalate	117-84-0	0.017	28. A
U078	1,1-Di- chloro- ethylene	NA	1,1-Dichloro-75-35-4 ethylene	75-35-4	0.25 B	33. A	aminoazo- benzene	NA	U108	1,4-Dioxane	NA	1,4-Di- oxane	123-91-1	0.12 B	170. A
U079	1,2-Di- chloro- ethylene	NA	trans-1,2- Dichloro- ethylene	156-60-5	0.54 B	33. A	aminoazo- benzene	NA	U111	Di-n-pro pyl- nitrosoamine	NA	Di-n-pro pyl- nitrosoamine	621-64-7	0.40 B	14. A
U080	Methylene chloride	NA	Methylene chloride	75-08-2	0.89 B	33. A	aminoazo- benzene	NA	U112	Ethyl acetate	NA	Ethyl acetate	141-78-6	0.34 B	33. A
U081	2,4-Di- chlorophenol	NA	2,4-Dichloro-120-83-2 phenol	120-83-2	0.44 B	14. A	aminoazo- benzene	NA	U117	Ethyl ether	NA	Ethyl ether	60-29-7	0.12 B	160. A
U082	2,6-Di- chlorophenol	NA	2,6-Di- chloro- phenol	87-65-0	0.44 B	14. A	aminoazo- benzene	NA	U118	Ethyl meth- acrylate	NA	Ethyl acrylate	97-63-2	0.14 B	160. A
U083	1,2-Di- chloro- propane	NA	1,2-Dichloro-78-87-5 propane	78-87-5	0.85 B	18. A	aminoazo- benzene	NA	U120	Fluor- anthene	NA	Fluor- anthene	206-44-0	0.068 B	8.2 A
U084	1,3-Di- chloro- propene	NA	cis-1,3- Dichloro- propylene	10061-01-5	.036 B	18. A	aminoazo- benzene	NA	U121	Trichloro- monofluoro- methane	NA	Tri- chloro- monofluoro- methane	75-69-4	0.020 B	33. A
U088	Diethyl phthalate	NA	Diethyl phthalate	84-66-2	0.2	28. A	aminoazo- benzene	NA	U127	Hexachloro- benzene	NA	Hexa- chloro- benzene	118-74-1	0.055 B	37. A
U093	p-Dimethyl- Table	NA	p-Dimethyl- 60-11-7	60-11-7	0.13 B	NA	aminoazo- benzene	NA							

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UI128	Hexachloro- butadiene	NA	Hexa- chloro- butadiene	87-68-3	0.055 B	28. A
UI129	Lindane	NA	alpha-BHC beta-BHC Delta-BHC gamma-BHC (Lindane)	319-84-6 319-85-7 319-86-8 58-89-9	0.00014 B 0.00014 B 0.023 B 0.0017 B	0.66 A 0.66 A 0.66 A 0.66 A
UI130	Hexachloro- cyclopenta- diene	NA	Hexa- chloro- cyclo- pentadiene	77-47-7	0.057 B	3.6 A
UI131	Hexachloro- ethane	NA	Hexa- chloro- ethane	67-72-1	0.055 B	28. A
UI134	Hydrogen fluoride	Table D	Fluoride	16964-48-8	35.	NA
UI136	Cacodylic acid	Table A	Arsenic	7440-38-2	0.79	NA
UI137	Indeno- (1,2,3-c,d)- pyrene	NA	Indeno- (1,2,3-c,d)- pyrene	193-39-5	0.0055 B	8.2 A
UI138	Iodomethane	NA	Iodo- methane	74-88-4	0.19 B	65. A
UI140	Isobutyl alcohol	NA	Isobutyl alcohol	78-83-1	5.6	170. A
UI141	Isosafrole	NA	Isosafrole	120-58-1	0.081	2.6 A
UI142	Kepone	NA	Kepone	143-50-8	0.0011	0.13 A
UI144	Lead acetate	Table A	Lead	7439-92-1	0.040	NA
UI145	Lead phosphate	Table A	Lead	7439-92-1	0.040	NA
UI146	Lead subacetate	Table A	Lead	7439-92-1	0.040	NA
UI151	Mercury	Tables	Mercury	7439-97-6	0.030	NA

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UI152	Methacrylo- nitrile	NA	Metha- crylo- nitrile	126-98-7	0.24 B	84. A
UI154	Methanol	NA	Methanol	67-56-1	5.6	NA
UI155	Methapy- riline	NA	Methapy- riline	91-80-5	0.081	1.5 A
UI157	3-Methyl- cholanthrene	NA	3-Methyl- cholanthrene	56-49-5	0.0055 B	15. A
UI158	4,4'- Methylene- bis(2- chloro aniline)	NA	Methylene- bis(2-chloro- aniline)	101-14-4	0.50 B	35. A
UI159	Methyl ethyl ketone	NA	Methyl ethyl ketone	78-93-3	0.28	36. A
UI161	Methyl isobutyl ketone	NA	Methyl isobutyl ketone	108-10-1	0.14	33. A
UI162	Methyl methacrylate	NA	Methyl methacrylate	80-62-6	0.14	160. A
UI165	Naphtha- lene	NA	Naphtha- lene	91-20-3	0.059 B	3.1 A
UI168	2-Naph- thylamine	Table D	2-Naph- thylamine	91-59-8	0.52 B	NA
UI169	Nitro- benzene	NA	Nitro- benzene	98-95-3	0.068 B	14. A
UI170	4-Nitro- phenol	NA	4-Nitro- phenol	100-02-7	0.12 B	29. A
UI172	N-Nitroso- di-n-butyl- amine	NA	N-Nitro- sodi- n- butylamine	924-16-3	0.40 B	17. A
UI174	N-Nitroso- diethylamine	NA	N-Nitro- sodi-	55-18-5	0.40 B	28. A

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D002	NA	NA	DEACT	DEACT	Code 721.122 managed in non-CWA/non-CWA-equivalent/non-Class I SDWA systems
D002	NA	DEACT	DEACT	DEACT	Acid, alkaline, and other subcategory based on 35 Ill. Adm. Code 721.122 managed in CWA, CWA-equivalent, or Class I SDWA systems
D003	NA	NA	DEACT	DEACT but not including dilution as a substitute for adequate treatment)	Reactive sulfides based on 35 Ill. Adm. Code 721.123 (a)(5)
D003	NA	NA	DEACT	DEACT	Explosives based on 35 Ill. Adm. Code 721.123 (a)(6),(7) and (8)
D003	NA	NA	DEACT	DEACT	Water reactives based on 35 Ill. Adm. Code 721.123 (a)(2),(3) and (4)
D003	NA	NA	DEACT	DEACT	Other reactives based on 35 Ill. Adm. Code 721.123(a)

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D006	NA	7440 -43-9	NA	R THERM	(1) Cadmium-containing batteries
D008	NA	7439 -92-1	NA	RLEAD	Lead acid batteries (Note: This standard only applies to lead acid batteries that are identified as RCRA hazardous wastes and that are not excluded elsewhere from regulation under the land disposal restrictions of this Part or exempted under other regulations (see 35 Ill. Adm. Code 726.180).)
D009	Tables A & B	7439 -97-6	NA	IMERC; or RMERC	Mercury: (High Mercury Subcategory-- greater than or equal to 260 mg/kg total Mercury-- contains mercury and organics (and are not incinerator residues))

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D009	Tables A & B	7439 -87-6	NA	RMERC	Mercury: (High Mercury Subcategory-- greater than or equal to 260 mg/kg total Mer- cury-- inorganics (including incinerator residues and residues from RMERC))			INCIN	of nitro- benzene by the nitration of benzene
D012	Table B	72-20 -8	BIODG; or INCIN	NA	Endrin			INCIN	Stripping still tails from the production of methyl ethyl pyridines
D013	Table B	58-89 -9	CARBN; or INCIN	NA	Lindane			INCIN	
D014	Table B	72-43 -5	WETOX; or INCIN	NA	Methoxychlor			FSUBS; or INCIN	Centrifuge and distillation residues from toluene diiso- cyanate pro- duction
D015	Table B	8001 -35-1	BIODG; or INCIN	NA	Toxaphene			CARBN; or INCIN	Filter cake from the filtration of diethylphospho rodithioc acid in the production of phorate
D016	Table B	94-75 -7	CHOXD; BIODG; or INCIN	NA	2,4-D			DEACT	Wastewater treatment sludges from the manufac- turing and processing of explosives
D017	Table B	93-72 -1	CHOXD; or INCIN	NA	2,4,5-TP			DEACT	Spent carbon from the treatment of wastewater containing explosives
F005	Tables A & B	79-46 -9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	2-Nitro- propane			DEACT	
F005	Tables A & B	110-80 -5	BIODG; or INCIN	INCIN	2-Ethoxy ethanol			DEACT	
F024	Tables A & B	NA	INCIN	INCIN	-----			DEACT	Pink/red water from TNT operations
K025	NA	NA	LLEXT fb SSSTRIP fb CARBN; or	INCIN	Distillation bottoms from the production			NA	Emission
						Tables A	NA		
						Tables A	NA		
						Tables A	NA		

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& B

control
dust/sludge
from secondary
lead smelting:
Non-Calcium
Sulfate
Subcategory

K106

Tables A
& B

NA

RMERC

Wastewater
treatment
sludge from
the mercury
cell process
in chlorine
production:
(High Mercury
Subcategory-
greater than
or equal to
260 mg/kg
total mercury)

K107

NA

NA

INCIN.

Column bottoms
from product
separation from
the production
of
1,1-dimethyl-
hydrazine
(UDMH)
from carboxylic
acid hydrazides

K108

NA

NA

INCIN.

Condensed
column
overheads from
product sep-
aration and
condensed
ractor
vent gases from
the production
of
1,1-dimethyl-
hydrazine
(UDMH)
from carboxylic
acid hydrazides

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K109

NA

NA

INCIN.

INCIN; or
CHOXD fb,
CARBN; or
BIODG fb
CARBN
1,1-
dimethylhydrazine
(UDMH) from
carboxylic acid
hydrazides

K110

NA

NA

INCIN.

INCIN; or
CHOXD fb,
CARBN; or
BIODG fb
CARBN
Condensed
column
overheads from
intermediate
separ-
ation from the
production of
1,1-
dimethylhydrazine
(UDMH) from
car-
boxylic acid
hydrazides

K112

NA

NA

INCIN.

INCIN; or
CHOXD fb,
CARBN; or
BIODG fb
CARBN
Reaction by-
product water
from the drying
column in the
production of
toluenediamine
via
hydrogenation
of
dinitrotoluene

K113

NA

NA

FSUBS; or
INCIN

CARBN; or
INCIN
Condensed
liquid light
ends from the
purification of
toluenediamine
in
the
production
of
toluenediamine
via
hydrogenation

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P002	NA	591-08 -2	CARBN; or INCIN (WETOX or CHOXD) fb CARBN; or INCIN	INCIN	1-Acetyl-2- thiourea
P003	NA	107-02 -8	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Acrolein
P005	NA	107-18 -6	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Allyl alcohol
P006	NA	20859 -73-8	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN	Aluminum phosphide
P007	NA	2763-96 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	5-Aminoethyl 3-isoxazolol
P008	NA	504-24 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	4- Aminopyridine
P009	NA	131-74 -8	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Ammonium picrate
P014	NA	108-95 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Thiophenol (Benzene thiol)
P015	NA	7440-41 -7	RMETL or RTHRM	RMETL; or RTHRM	Beryllium dust
P016	NA	542-88 -1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Bis(chloro- methyl)-ether

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P017	NA	598-31 -2	INCIN (WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Bromacetone
P018	NA	357-57 -3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Brucine
P022	Table B	75-15 -0	NA	INCIN	Carbon disulfide
P023	NA	107-20 -0	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Chloro- acetaldehyde
P026	NA	5344-82 -1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	1-(o-Chloro- phenyl)-thio- urea
P027	NA	542-76 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	3-Chloro- propionitrile
P028	NA	100-44 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Benzyl chloride
P031	NA	460-19 -5	CHOXD; WETOX; or INCIN	CHOXD; WETOX; or INCIN	Cyanogen
P033	NA	506-77 -4	CHOXD; WETOX; or INCIN	CHOXD; WETOX; or INCIN	Cyanogen chloride
P034	NA	131-89 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	2-Cyclohexyl- 4,6-dinitro- phenol
P040	NA	297-97	CARBN; or FSUBS; or	FSUBS; or	0,0-Diethyl O-

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P041	NA	311-45 -5	CARB; or INCIN	INCIN	pyrazinyl phosphoro- thioate	P058	NA	62-74 -8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	-7	CHOXD) fb CARBN; or INCIN	acetamide
P042	NA	51-43 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Diethyl-p- nitrophenyl phosphate	P062	NA	757-58 -4	CARB; or INCIN	FSUBS or INCIN	624-83 -9	(WETOX or CHOXD) fb CARBN; or INCIN	Fluoroacetic acid, sodium salt
P043	AN	55-91 -4	CARB; or INCIN	FSUBS; or INCIN	Epinephrine	P064	NA	628-86 -4	NA	RMERC	624-83 -9	(WETOX or CHOXD) fb CARBN; or INCIN	Hexaethyl- tetraphosphate
P044	NA	60-51 -5	CARB; or INCIN	FSUBS; or INCIN	Diisopropyl- fluoro- phosphate (DFP)	P065	Tables A & B	628-86 -4	NA	RMERC	628-86 -4	(WETOX or CHOXD) fb CARBN; or INCIN	Isocyanic acid, ethyl ester
P045	NA	39196-18 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Thiofanox	P065	Tables A & B	628-86 -4	NA	IMERC	628-86 -4	(WETOX or CHOXD) fb CARBN; or INCIN	Mercury fulminate: (High Mercury Subcategory-- greater than or equal to 260 mg/kg total Mercury-- either incinerator residues or residues from RMERC)
P046	NA	122-09 -8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	alpha,alpha- Dimethylphen- ethylamine	P065	Tables A & B	628-86 -4	NA	IMERC	628-86 -4	(WETOX or CHOXD) fb CARBN; or INCIN	Mercury fulminate: (All non- wastewaters-- that are not incinerator residues or are not residues from RMERC; regardless of Mercury Content)
P047	NA	534-52 -1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	4,6-Dinitro- o-cresol salts	P065	Tables A & B	628-86 -4	NA	IMERC	628-86 -4	(WETOX or CHOXD) fb CARBN; or INCIN	Mercury fulminate: (All non- wastewaters-- that are not incinerator residues or are not residues from RMERC; regardless of Mercury Content)
P049	NA	541-53 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	2,4-Dithio- biuret	P065	Tables A & B	628-86 -4	NA	IMERC	628-86 -4	(WETOX or CHOXD) fb CARBN; or INCIN	Mercury fulminate: (All non- wastewaters-- that are not incinerator residues or are not residues from RMERC; regardless of Mercury Content)
P054	NA	151-56 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Aziridine	P065	Tables A & B	628-86 -4	NA	IMERC	628-86 -4	(WETOX or CHOXD) fb CARBN; or INCIN	Mercury fulminate: (All non- wastewaters-- that are not incinerator residues or are not residues from RMERC; regardless of Mercury Content)
P056	Table B	7782-41 -4	NA	ADGAS fb NEUTR	Fluorine	P066	NA	16752-77 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	16752-77 -5	(WETOX or CHOXD) fb CARBN; or INCIN	Methomyl
P057	NA	640-19	(WETOX or	INCIN	Fluoro-	P066	NA	16752-77 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	16752-77 -5	(WETOX or CHOXD) fb CARBN; or INCIN	Methomyl

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P067	NA	75-55 -8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	2-Methyl- aziridine	
P068	NA	60-34 -4	CHOXD; CHRED; CARBN; or BIODG; or INCIN	FSUBS; CHOXD; CHRED; OR INCIN	Methyl hydrazine	
P069	NA	75-86 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Methylacto- nitrile	
P070	NA	116-06 -3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Aldicarb	
P072	NA	86-88 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	1-Naphthyl-2- thiourea	
P075	NA	54-11 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Nicotine and salts	
P076	NA	10102-43 -9	ADGAS	ADGAS	Nitric oxide	
P078	NA	10102-44 -0	ADGAS	ADGAS	Nitrogen dioxide	
P081	NA	55-63 -0	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Nitroglycerin	
P082	Table B	62-75 -9	NA	INCIN	N-Nitrosodi- methylamine	
P084	NA	4549-40 -0	(WETOX or CHOXD) fb CARBN; or	INCIN	N-Nitroso- methylvinyl- amine	

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P085	NA	152-16 -9	CARBN; or INCIN	INCIN	Octamethyl- pyrophosphor- amide	
P087	NA	20816-12 -0	RMETL; or RTHRM	RMETL; or RTHRM	Osmium tetroxide	
P088	NA	145-73 -3	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Endothall	
P092	Tables A & B	62-38 -4	NA	RMERC	Phenyl mercury acetate; (High Mercury Subcategory-- greater than or equal to 260 mg/kg total Mercury-- either incinerator residues or residues from RMERC)	
P092	Tables A & B	62-38 -4	NA	IMERC; or RMERC	Phenyl mercury acetate; (All non- wastewaters that are not incinerator residues and are not residues and are not residues from RMERC; regardless of Mercury Content)	
P093	NA	103-85 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	N-Phenylthio- urea	

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P095	NA	75-44 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Phosgene	P119	Table B	7803-55 -6	NA	STABL	Ammonium vanadate
P096	NA	7803-51 -2	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN	Phosphine	P120	Table B	1314-62 -1	NA	STABL	Vanadium pentoxide
P102	NA	107-19 -7	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Propargyl alcohol	P122	NA	1314-84 -7	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN	Zinc Phosphide (≥10%)
P105	NA	26628-22 -8	CHOXD; CHRED; CARBN BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Sodium azide	U001	NA	75-07 -0	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Acetaldehyde
P108	NA	57-24 -9 A	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Strychnine and salts	U003	Table B	75-05 -8	NA	INCIN	Acetonitrile
P109	NA	3689-24 -5	CARBN; or INCIN	FSUBS; or INCIN	Tetraethyldi- thiopyro- phosphate	U006	NA	75-36 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Acetyl chloride
P112	NA	509-14 -8	CHOXD; CHRED; CARBN; or BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Tetranitro- methane	U007	NA	79-06 -1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Acrylamide
P113	Table B	1314-32 -5	NA	RTHRM; or STABL	Thallic oxide	U008	NA	79-10 -7	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Acrylic acid
P115	Table B	7446-18 -6	NA	RTHRM; or STABL	Thallium (I) sulfate	U010	NA	50-07 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Mitomycin C
P116	NA	79-19 -6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Thiosemi- carbazine	U011	NA	61-82 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Amitrole
P118	NA	75-70 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Trichloro- methanethiol	U014	NA	492-80 -8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Auramine
						U015	NA	115-02	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Azaserine

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U016	NA	225-51 -4	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Benz(c)- acridine	
U017	NA	98-87 -3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Benzal chloride	
U020	NA	98-09 -9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Benzene- sulfonyl chloride	
U021	NA	92-87 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Benzidine	
U023	NA	98-07 -7	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Benzotri- chloride	
U026	NA	494-03 -1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Chlornaphazin	
U033	NA	353-50 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Carbonyl fluoride	
U034	NA	75-87 -6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Trichloroacet- aldehyde (Chloral)	
U035	NA	305-03 -3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Chlorambucil	

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U038	Table B	510-15 -6	NA	INCIN	Chloro- benzilate
U041	NA	106-89 -8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	1-Chloro-2,3- epoxypropane (Epichloro- hydrin)
U042	Table B	110-75 -8	NA	INCIN	2-Chloroethyl vinyl ether
U046	NA	107-30 -2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Chloromethyl methyl ether
U049	NA	3165-93 -3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	4-Chloro-o- toluidine hydrochloride
U053	NA	4170-30 -3	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Crotonaldehyde
U055	NA	98-82 -8	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Cumene
U056	NA	110-82 -7	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Cyclohexane
U057	Table B	108-94 -1	NA	FSUBS; or INCIN	Cyclohexanone
U058	NA	50-18 -0	CARBN; or INCIN	FSUBS; or INCIN	Cyclophosph- amide
U059	NA	20830-81 -3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Daunomycin
U062	NA	2303-16 -4	(WETOX or CHOXD) fb	INCIN	Diallate

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U064	NA	189-55 -9	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	1,2,7,8-Di- benzopyrene	
U073	NA	91-94 -1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	3,3'-Dichloro- benzidine	
U074	NA	1476-11 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	cis-1,4-Di- chloro-2- butene; trans- 1,4-Dichloro- 2-butene	
U085	NA	1464-53 -5	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	1,2:3,4-Di- epoxybutane	
U086	NA	1615-80 -1	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	N,N-Diethyl- hydrazine	
U087	NA	3288-58 -2	CARBN; or INCIN	FSUBS; or INCIN	o,o-Diethyl s- methyldithio- phosphate	
U089	NA	56-53 -1	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Diethyl stilbestrol	
U090	NA	94-58 -6	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Dihydrosafrole	
U091	NA	119-90 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	3,3'-Di- methoxy- benzidine	
U092	NA	124-40	(WETOX or	INCIN	Dimethylamine	

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U093	Table B	621-90 -9	NA	INCIN	CHOXD) fb CARBN; or INCIN	p-Dimethyl- aminoazo- benzene
U094	NA	57-97 -6	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN		7,12-Dimethyl- benz(a)- anthracene
U095	NA	119-93 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN		3,3'-Dimethyl- benzidine
U096	NA	80-15 -9	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN		alpha,alpha- Dimethyl- benzyl hydro- peroxide
U097	NA	79-44 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN		Dimethyl- carbamoyl chloride
U098	NA	57-14 -7	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN		1,1- Dimethylhydraz- ine
U099	NA	540-73 -8	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN		1,2-Dimethyl- hydrazine
U103	NA	77-78 -1	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN		Dimethyl sulfate
U109	NA	122-66 -7	CHOXD; CHRED; CARBN;	FSUBS; CHOXD; CHRED; or		1,2-Diphenyl- hydrazine

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U110	NA	142-84 -7	(WETOX or CHOXD) fb CARBN; or INCIN	BIODG; or INCIN	INCIN	Dipropylamine
U113	NA	140-88 -5	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN		Ethyl acrylate
U114	NA	111-54 -6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN		Ethylenebis- dithiocarbamic acid
U115	NA	75-21 -8	(WETOX or CHOXD) fb CARBN; or INCIN	CHOXD; or INCIN		Ethylene oxide
U116	NA	96-45 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN		Ethylene thio- urea
U119	NA	62-50 -0	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN		Ethyl methane- sulfonate
U122	NA	50-00 -0	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN		Formaldehyde
U123	NA	64-18 -6	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN		Formic acid
U124	NA	110-00 -9	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN		Furan
U125	NA	98-01	(WETOX or	FSUBS; or		Furfural

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U126	NA	765-34 -4	(WETOX or CHOXD) fb CARBN; or INCIN	CHOXD) fb CARBN; or INCIN	INCIN	Glycidylal- dehyde
U132	NA	70-30 -4	(WETOX or CHOXD) fb CARBN; or INCIN	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Hexachloro- phene
U133	NA	302-01 -2	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN		Hydrazine
U134	Table B	7664-39 -3	NA	ADGAS fb NEUTR; or NEUTR		Hydrogen fluoride
U135	NA	7783-06 -4	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN		Hydrogen Sulfide
U143	NA	303-34 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN		Lasiocarpine
U147	NA	108-31 -6	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN		Maleic anhydride
U148	NA	123-33 -1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN		Maleic hydrazide
U149	NA	109-77 -3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN		Malononitrile
U150	NA	148-82 -3	(WETOX or CHOXD) fb	INCIN		Meiphalan

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CARBN; or
INCIN

U151	Tables A & B	7439-97 -6	NA	RMERC	Mercury: (High Mercury Subcategory-- greater than or equal to 260 mg/kg total Mercury)
U153	NA	74-93 -1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Methanethiol
U154	NA	67-56 -1	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Methanol
U156	NA	79-22 -1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Methyl chloro- carbonate
U160	NA	1338-23 -4	CHOXD; CHRED; CARBN BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Methyl ethyl ketone peroxide
U163	NA	70-25 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	N-Methyl-N'- nitro-N- Nitroso- guanidine
U164	NA	56-04 -2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Methylthio- uracil
U166	NA	130-15 -4	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	1,4-Naphtho- quinone
U167	NA	134-32 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	1-Naphthyl- amine

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INCIN

U168	Table B	91-59 -8	NA	INCIN	2-Naphthyl- amine
U171	NA	79-46 -9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	2-Nitropropane
U173	NA	1116-54 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	N-Nitroso-di- ethanolamine
U176	NA	759-73 -9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	N-Nitroso-N- ethylurea
U177	NA	684-93 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	N-Nitroso-N- methylurea
U178	NA	615-53 -2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	N-Nitroso-N- methylurethane
U182	NA	123-63-7	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Paraldehyde
U184	NA	76-01 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Pentachloro- ethane
U186	NA	504-60 -9	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	1,3-Pentadiene
U189	NA	1314-80 -3	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN	Phosphorus sulfide

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U191	NA	109-06 -8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	2-Picoline
U193	NA	1120-71 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	1,3-Propane sultone
U194	NA	107-10 -8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	n-Propylamine
U197	NA	106-51 -4	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	p-Benzquinone
U200	NA	50-55 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Reserpine
U201	NA	108-46 -3	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Resorcinol
U202	NA	81-07 -2 A	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Saccharin and salts
U206	NA	18883-66 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Streptozotocin
U213	NA	109-99 -9	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Tetrahydro- furan
U214	Table B	563-68 -8	NA	RTHRM; or STABL	Thallium (I) acetate
U215	Table B	6533-73	NA	RTHRM; or	Thallium (I)

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U216	Table B	7791-12 -0	NA	STABL	carbonate
U217	Table B	10102-45 -1	NA	RTHRM; or STABL	Thallium (I) chloride
U218	NA	62-55 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Thallium (I) nitrate
U219	NA	62-56 -6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Thioacetamide
U221	NA	25376-45 -8	CARBN; or INCIN	FSUBS; or INCIN	Thiourea
U222	NA	636-21 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Toluenediamine
U223	NA	26471-62 -5	CARBN; or INCIN	FSUBS; or INCIN	o-Toluidine hydrochloride
U234	NA	99-35 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Toluene diiso- cyanate
U236	NA	72-57 -1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	sym-Trinitro- benzene
U237	NA	66-75 -1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Trypan Blue
U238	NA	51-79 -6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Uracil mustard
					Ethyl carbamate

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NA Not Applicable.

BOARD NOTE: When a combination of these technologies (i.e., a treatment train) is specified as a single treatment standard, the order of application is specified in this Table by indicating the five letter technology code that must be applied first, then the designation "fb" (an abbreviation for "Followed by"), then the five letter technology code for the technology that must be applied next, and so on. When more than one technology (or treatment train) are specified as alternative treatment standards, the five letter technology codes (or the treatment trains) are separated by a semicolon (;) with the last technology preceded by the word "or". This indicates that any one of these BDAF technologies or treatment trains can be used for compliance with the standard. See Section 728. Table C for a listing of the technology codes and technology-based treatment standards. Derived from 40 CFR 268.42, Table 2 (1992), as amended at 57 Fed. Reg. 37273 (Aug. 18, 1992).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

U240	NA	94-75 -7 *	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	2,4-Dichloro- phenoxyacetic acid (salts and esters)
U244	NA	137-26 -8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Thiram
U246	NA	506-68 -3	CHOXD; WETOX; or INCIN	CHOXD; WETOX; or INCIN	Cyanogen bromide
U248	NA	81-81 -2	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Warfarin (0.3% or less)
U249	NA	1314-84 -7	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN	Zinc Phosphide (<10%)
U328	NA	95-53-4	INCIN; or CHOXD fb (BIODG or CARBN); or BIODG fb CARBN	INCIN; or Thermal Destructio n.	o-toluidine
U353	NA	106-49-0	INCIN; or CHOXD fb (BIODG or CARBN); or BIODG fb CARBN	INCIN; or Thermal Destructio n.	p-toluidine
U359	NA	110-80-5	INCIN; or CHOXD fb (BIODG or CARBN); or BIODG fb CARBN	INCIN; or FSUBS.	2-ethoxy-ethanol

A CAS Number given for parent compound only.

B This waste code exists in gaseous form and is not categorized as wastewater or nonwastewater forms.

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NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: PRIMARY DRINKING WATER STANDARDS2) Code Citation: 35 Ill. Adm. Code 6113) Section Numbers: Adopted Action:

611.101, 611.102, 611.212 Amendment
 611.356, 611.532, 611.602 Amendment
 611.603, 611.607, 611.609 Amendment
 611.612, 611.646, 611.648 Amendment
 611.685, 611.851, 611.856 Amendment
 611.Appendix A Amendment

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1017, 1017.5 and 1027 [415 ILCS 5/17, 17.5 and 27].5) Effective date of amendments: July 28, 19946) Does this rulemaking contain an automatic repeal date?: No.7) Do these amendments contain incorporations by reference?

Yes. Section 611.102 contains the central listing of all documents incorporated by reference for the purposes of the whole of Part 611. The primary purpose of the present amendments is to incorporate two additional federal analytical procedures by reference.

8) Date filed in Board's principal office: Order adopted July 21, 1994.9) Notice of Proposal Published in Illinois Register:

May 20, 1994, 18 Ill. Reg. 7642

10) Has JCAR issued a Statement of Objections to these rules? No.

Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] provides that Section 5 of the Administrative Procedure Act [5 ILCS 100/5-35 & 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version:

Section	Revision
Table of Contents	Headings to Sections 611.121 and 611.609 revised to reflect headings in text

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Main Source Note

Effective date of R93-1 amendments corrected to July 23, 1993

611.102(b)

Under listing for U.S. EPA-EMSL: Punctuation corrected in entry for "Microbiological Methods for Monitoring the Environment, Water and Wastes"

Methods 502.2 and 524.2 added to listing

611.Appendix A

Cyanide entry paragraph number corrected to 55

12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?

Section 17.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111?, par. 1017.5 [415 ILCS 5/17.5]) provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR. However, as discussed in the Board's opinion and order of July 21, 1994, JCAR submitted informal comments to the Board requesting clarifications and suggesting changes. The Board incorporated all the suggested changes.

13) Will these amendments replace emergency amendments currently in effect? No.

14) Are there any other amendments pending on this Part? No.

15) Summary and purpose of amendments:

A more detailed description is contained in the Board's opinion of July 21, 1994 in R94-4, which opinion is available from the address below. Section 17.5 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates the Board's SDWA rules to correspond with amendments adopted by USEPA which appeared in the Federal Register during the period July 1 through December 31, 1993. During that time, U.S. EPA added two new analytical procedures for testing for total trihalomethanes (TTHM) in drinking water, at 58 Fed. Reg. 41344 (Aug. 3, 1993). The new methods are Method 502.2 ("Volatile Organic Compounds in Water by Purge and Trap Capillary Gas Chromatography with Photoionization and Electrolytic Conductivity Detector in Series") and Method 524.2 ("Volatile

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Organic Chemicals in Water by Purge and Trap Capillary Gas Chromatography/Mass Spectrometry"). Both are found in the federal publication: "Methods for Determination of Organic Compounds in Drinking Water".

The Board also uses this opportunity to make several amendments to existing State SDWA provisions based on recommendations and observations made by the Illinois EPA. Illinois EPA is currently engaged in extensive review of the State's SDWA regulations as adopted to-date by the Board. The purpose is to support a State primacy petition. In undertaking this review Illinois EPA has discovered a small number of departures of the State rules from the underlying federal rules. Pursuant to the identical-in-substance mandate, it is necessary that these departures be eliminated. Most of these departures originated as typographical errors. One significant corrective amendment to Section 611.603(d), to restore omitted language from 40 CFR 141.23(c), which explicitly requires a minimum of three rounds of monitoring from any new water source before a supplier can qualify for a SEP. Another amends Sections 611.646(o)(3) and 611.648(k)(3) to allow public notice to fewer than all of a supplier's consumers if only part of its distribution system is affected by an exceedence of a volatile organic chemical contaminant (VOC) or synthetic organic chemical (SOC) MCL.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge
Attorney
Illinois Pollution Control Board
100 W. Randolph 11-500
Chicago, IL 60610
312-814-6924

The full text of the adopted amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARD

PART 611

PRIMARY DRINKING WATER STANDARDS

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AUTHORITY: Implementing Sections 17 and 17.5 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991 ch. 111 1/2, pars. 1017, 1017.5 and 1027 [415 ILCS 5/17, 5/17.5 and 5/27]).

SOURCE: Adopted in R88-26 at 14 Ill. Reg. 16517, effective September 20, 1990; amended in R90-21 at 14 Ill. Reg. 20448, effective December 11, 1990; amended in R90-13 at 15 Ill. Reg. 1562, effective January 22, 1991; amended in R9-3 at 16 Ill. Reg. 19010, effective December 1, 1992; amended in R92-3 at 17 Ill. Reg. 7796, effective May 18, 1993; amended in R93-1 at 17 Ill. Reg. 12650, effective July 23, 1993; amended in R94-4 at 18 Ill. Reg. _____, effective _____.

NOTE: In this Part, superscript number or letters are denoted by parentheses; subscript are denoted by brackets.

Section 611.101 Definitions

As used in this Part, the term:

"Act" means the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1001 et seq. [415 ILCS 5/-et-seq-]).

"Agency" means the Illinois Environmental Protection Agency.
 BOARD NOTE: The Department of Public Health ("Public Health") regulates non-community water supplies ("non-CWSs", including non-transient, non-community water supplies ("NTNCWSs") and transient non-community water supplies ("transient non-CWSs")). For the purposes of regulation of supplies by Public Health by reference to this Part, "Agency" shall mean Public Health.

"Ai" means "inactivation ratio".

"Approved source of bottled water", for the purposes of Section 611.130(e)(4), means a source of water and the water therefrom, whether it be from a spring, artesian well, drilled well, municipal water supply, or any other source, that has been inspected and the water sampled, analyzed, and found to be a safe and sanitary quality according to applicable laws and regulations of State and local government agencies having jurisdiction, as evidenced by the presence in the plant of current certificates or notations of approval from each government agency or agencies having jurisdiction over the source, the water it bottles, and the distribution of the water in commerce.

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BOARD NOTE: Derived from 40 CFR 142.62(g)(2) and 21 CFR 129.3(a) (1993). The Board cannot compile an exhausting listing of all federal, state, and local laws to which bottled water and bottling water may be subjected. However, the statutes and regulations of which the Board is aware are the following: the Illinois Food, Drug and Cosmetic Act (410 ILCS 620/41-~~et-seq~~), formerly Ill. Rev. Stat. 1991 ch. 56 1/2, par. 501 et seq.), the Bottled Water Act (815 ILCS 310/41-~~et-seq~~), formerly Ill. Rev. Stat. 1991 ch. 111 1/2, par. 121.101), the DPH Water Well Construction Code (77 Ill. Adm. Code 920), the DPH Water Well Pump Installation Code (77 Ill. Adm. Code 925), the federal bottled water quality standards (21 CFR 103.35), the federal drinking water processing and bottling standards (21 CFR 129), the federal Good Manufacturing Practices for human foods (21 CFR 110), the federal Fair Packaging and Labeling Act (15 U.S.C. subsection 1451 et seq.), and the federal Fair Packaging and Labeling regulations (21 CFR 201).

"Best available technology" or "BAT" means the best technology, treatment techniques or other means that ~~USEPA~~ U.S. EPA has found are available for the contaminant in question. BAT is specified in Subpart F of this Part.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Board" means the Illinois Pollution Control Board.

"CAS No" means "Chemical Abstracts Services Number".

"CT" or "CT[calc]" is the product of "residual disinfectant concentration" (RDC or C) in mg/L determined before or at the first customer, and the corresponding "disinfectant contact time" (T) in minutes. If a supplier applies disinfectant at more than one point prior to the first customer, it shall determine the CT of each disinfectant sequence before or at the first customer to determine the total percent inactivation or "total inactivation ratio". In determining the total inactivation ratio, the supplier shall determine the RDC of each disinfection sequence and corresponding contact time before any subsequent disinfection application point(s). (See "CT[99.9]")

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"CT[99.9]" is the CT value required for 99.9 percent (3-log) inactivation of *Giardia lamblia* cysts. CT[99.9] for a variety of disinfectants and conditions appear in Tables 1.1-1.6, 2.1 and 3.1 of Section 611. Appendix B. (See "Inactivation Ratio".)

BOARD NOTE: Derived from the definition of CT in 40 CFR 141.2 (1992 1993).

"Coagulation" means a process using coagulant chemicals and mixing by

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which colloidal and suspended materials are destabilized and agglomerated into flocs.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Community Water System" or "CWS" means a public water system (PWS) that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993). This definition differs slightly from that of Section 3.05 of the Act.

"Compliance cycle" means the nine-year calendar year cycle during which public water systems (PWSs) must monitor. Each compliance cycle consists of three year compliance periods. The first calendar cycle begins January 1, 1993, and ends December 31, 2001; the second begins January 1, 2002 and ends December 31, 2010; the third begins January 1, 2011, and ends December 31, 2019.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Compliance period" means a three-year calendar year period within a compliance cycle. Each compliance cycle has three three-year compliance periods. Within the first compliance cycle, the first compliance period runs from January 1, 1993, to December 31, 1995; the second from January 1, 1996, to December 31, 1998; the third from January 1, 1999, to December 31, 2001.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Confluent growth" means a continuous bacterial growth covering the entire filtration area of a membrane filter or a portion thereof, in which bacterial colonies are not discrete.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Contaminant" means any physical, chemical, biological or radiological substance or matter in water.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Conventional filtration treatment" means a series of processes including coagulation, flocculation, sedimentation and filtration resulting in substantial particulate removal.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Diatomaceous earth filtration" means a process resulting in substantial particulate removal in which:

A precoat cake of diatomaceous earth filter media is deposited on a support membrane (septum); and

While the water is filtered by passing through the cake on the septum, additional filter media known as body feed is continuously added to the feed water to maintain the permeability

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of the filter cake.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Direct filtration" means a series of processes including coagulation and filtration but excluding sedimentation resulting in substantial particulate removal.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Disinfectant" means any oxidant, including but not limited to chlorine, chlorine dioxide, chloramines and ozone added to water in any part of the treatment or distribution process, that is intended to kill or inactivate pathogenic microorganisms.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Disinfectant contact time" or "T" means the time in minutes that it takes for water to move from the point of disinfectant application or the previous point of RDC measurement to a point before or at the point where RDC ("C") is measured.

Where only one RDC is measured, T is the time in minutes that it takes for water to move from the point of disinfectant application to a point before or at where RDC is measured.

Where more than one RDC is measured, T is:

For the first measurement of RDC, the time in minutes that it takes for water to move from the first or only point of disinfectant application to a point before or at the point where the first RDC is measured and

For subsequent measurements of RDC, the time in minutes that it takes for water to move from the previous RDC measurement point for which the particular T is being calculated.

T in pipelines must be calculated based on "plug flow" by dividing the internal volume of the pipe by the maximum hourly flow rate through that pipe.

T within mixing basins and storage reservoirs must be determined by tracer studies or an equivalent demonstration.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Disinfection" means a process that inactivates pathogenic organisms in water by chemical oxidants or equivalent agents.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Distribution system" includes all points downstream of an "entry point" to the point of consumer ownership.

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"Domestic or other non-distribution system plumbing problem" means a coliform contamination problem in a PWS with more than one service connection that is limited to the specific service connection from which the coliform-positive sample was taken.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Dose equivalent" means the product of the absorbed dose from ionizing radiation and such factors as account for differences in biological effectiveness due to the type of radiation and its distribution in the body as specified by the International Commission on Radiological Units and Measurements (ICRU).

BOARD NOTE: Derived from 40 CFR 141.2 (1993 1992).

"Entry point" means a point just downstream of the final treatment operation, but upstream of the first user and upstream of any mixing with other water. If raw water is used without treatment, the "entry point" is the raw water source. If a PWS receives treated water from another PWS, the "entry point" is a point just downstream of the other PWS, but upstream of the first user on the receiving PWS, and upstream of any mixing with other water.

"Filtration" means a process for removing particulate matter from water by passage through porous media.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Flocculation" means a process to enhance agglomeration or collection of smaller floc particles into larger, more easily settle able particles through gentle stirring by hydraulic or mechanical means.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"GC" means "gas chromatography" or "gas-liquid phase chromatography".

"GC/MS" means gas chromatography (GC) followed by mass spectrometry (MS).

"Gross alpha particle activity" means the total radioactivity due to alpha particle emission as inferred from measurements on a dry sample.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Gross beta particle activity" means the total radioactivity due to alpha particle emission as inferred from measurements on a dry sample.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Groundwater under the direct influence of surface water" is as determined in Section 611.212.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"GWS" means "groundwater system", a public water supply (PWS) that uses only groundwater sources.

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BOARD NOTE: Drawn from 40 CFR 141.23(b)(2) & 141.24(f)(2) note (1992 1993).

"Halogen" means one of the chemical elements chlorine, bromine or iodine.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"HPC" means "heterotrophic plate count", measured as specified in Section 611.531(c).

"Inactivation Ratio" (Ai) means:

$$A_i = CT[\text{calc}]/CT[99.9]$$

The sum of the inactivation ratios, or "total inactivation ratio" (B) is calculated by adding together the inactivation ratio for each disinfection sequence:

$$B = \text{SUM}(A_i)$$

A total inactivation ratio equal to or greater than 1.0 is assumed to provide a 3-log inactivation of *Giardia lamblia* cysts.

BOARD NOTE: Derived from the definition of "CT" in 40 CFR 141.2 (1992 1993).

"Initial compliance period" means the three-year compliance period begins January 1, 1993, except for the MCLs for dichloromethane, 1,2,4-trichlorobenzene, 1,1, 2-trichloroethane, benzo[a]pyrene, dalaapon, di(2-ethylhexyl)adipate, di(2-ethylhexyl)- phthalate, dinoseb, diquat, endothall, endrin, glyphosate, hexachlorobenzene, hexachlorocyclopentadiene, oxamyl, picloram, simazine, 2,3,7,8-TCDD, antimony, beryllium, cyanide, nickel, and thallium as they apply to suppliers whose supplies have fewer than compliance period that begins on January 1, 1996.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993), 7-as-amended-at-57 Fed--Reg--31030-(July-17-1992).

"L" means "liter".

"Legionella" means a genus of bacteria, some species of which have caused a type of pneumonia called Legionnaires Disease.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Man-made beta particle and photon emitters" means all radionuclides emitting beta particles and/or photons listed in Maximum Permissible Body Burdens and Maximum Permissible Concentration of Radionuclides in Air and in Water for Occupational Exposure, NCRP Report Number 22, incorporated by reference in Section 611.102, except the daughter products of thorium-232, uranium-235 and uranium-238.

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BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Maximum contaminant level" ("MCL") means the maximum permissible level of a contaminant in water that is delivered to any user of a public water system. See Section 611.121.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Maximum Total Trihalomethane Potential" or "MTP" means the maximum concentration of total trihalomethanes (TTHMs) produced in a given water containing a disinfectant residual after 7 days at a temperature of 25° C or above.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"MFL" means millions of fibers per liter larger than 10 micrometers.

BOARD NOTE: Derived from 40 CFR 141.23(a)(4)(i) (1992 1993).

"mg" means milligrams (1/1000th of a gram).

"mg/L" means milligrams per liter.

"Mixed system" means a PWS that uses both groundwater and surface water sources.

BOARD NOTE: Drawn from 40 CFR 141.23(b)(2) and 141.24(f)(2) note (1993).

"MUG" means 4-methyl-umbelliferyl-beta-d-glucuronide.

"Near the first service connection" means at one of the 20 percent of all service connections in the entire system that are nearest the public water system (PWS) treatment facility, as measured by water transport time within the distribution system.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"nm" means nanometer (1/1,000,000,000th of a meter).

"Non-community water system" or "NCWS" or "non-CWS" means a public water system

BOARD NOTE: Derived for the definition of "public water system" in 40 CFR 141.2 (1992 1993).

"Non-transient non-community water system" or "NTNCWS" means a public water system (PWS) that is not a community water system (CWS) and that regularly serves at least 25 of the same persons over 6 months per year.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"NPDR" means "national primary drinking water regulation".

"NTU" means "nephelometric turbidity units".

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"Old MCL" means one of the inorganic maximum contaminant levels (MCLs), codified at Section 611.300, or organic MCLs, codified at Section 611.310, including any marked as "additional state requirements."

BOARD NOTE: Old MCLs are those derived prior to the implementation of the USEPA U.S. EPA "Phase II" regulations. The Section 611.640 definition of this term, which applies only to Subpart O of this Part, differs from this definition in that ~~that~~ the definition does not include the Section 611.300 inorganic MCLs.

"P-A Coliform Test" means "Presence-Absence Coliform Test".

"Performance evaluation sample" means a reference sample provided to a laboratory for the purpose of demonstrating that the laboratory can successfully analyze the sample within limits of performance specified by the Agency; or, for bacteriological laboratories, Public Health; or, for radiological laboratories, the Illinois Department of Nuclear Safety. The true value of the concentration of the reference material is unknown to the laboratory at the time of the analysis.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Person" means an individual, corporation, company, association, partnership, State unit of local government, municipality or Federal agency.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Phase I" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA U.S. EPA on July 8, 1987, at 52 Fed. Reg. 25712.

"Phase II" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA U.S. EPA on January 30, 1991, at 56 Fed. Reg. 3578.

"Phase IIB" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA U.S. EPA on July 1, 1991, at 56 Fed. Reg. 30266.

"Phase V" refers to that group of chemical contaminants promulgated by USEPA U.S. EPA on July 17, 1992, at 57 Fed. Reg. 31776.

"Picrocurie" or "pCi" means the quantity of radioactive material producing 2.22 nuclear transformations per minute.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Point of disinfectant application" is the point at which the disinfectant is applied and downstream of which water is not subject to recontamination by surface water runoff.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

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"Point-of-entry treatment device" is a treatment device applied to the drinking water entering a house or building for the purpose of reducing contaminants in the drinking water distributed throughout the house or building.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Point-of-use treatment device" is a treatment device applied to a single tap used for the purpose of reducing contaminants in drinking water at that one tap.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Public Health" means the Illinois Department of Public Health.

BOARD NOTE: The Department of Public Health ("Public Health") regulates non-community water supplies ("non-CWSs", including non-transient, non-community water supplies ("NTNCWSs") and transient non-community water supplies ("transient non-CWSs")). For the purposes of regulation of supplies by Public Health by reference to this Part, "Agency" shall mean Public Health.

"Public water system" or "PWS" means a system for the provision to the public of piped water for human consumption, if such system has at least fifteen service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. A PWS is either a community water system (CWS) or a non-community water system (non-CWS). Such term includes:

Any collection, treatment, storage and distribution facilities under control of the operator of such system and used primarily in connection with such system, and;

Any collection or pretreatment storage facilities not under such control that are used primarily in connection with such system.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Reliably and consistently" below a specified level for a contaminant means an Agency determination based on analytical results following the initial detection of a contaminant to determine the qualitative condition of water from an individual sampling point or source. The Agency shall base this determination on the consistency of analytical results, the degree below the MCL, the susceptibility of source water to variation, and other vulnerability factors pertinent to the contaminant detected that may influence the quality of water.

BOARD NOTE: Derived from 40 CFR 141.23(b)(9), 141.24(f)(11)(ii), and 141.24(f)(11)(iii) (1992 1993).

"Rem" means the unit of dose equivalent from ionizing radiation to the total body or any internal organ or organ system. A "millirem (mrem)" is 1/1000 of a rem.

BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

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"Repeat compliance period" means a compliance period that begins after the initial compliance period.

BOARD NOTE: Derived from 40 CFR 141.2 (±1992 1993).

"Representative" means that a sample must reflect the quality of water that is delivered to consumers under conditions when all sources required to supply water under normal conditions are in use and all treatment is properly operating.

"Residual disinfectant concentration" ("RDC" or "C" in CT calculations) means the concentration of disinfectant measured in mg/L in a representative sample of water. For purposes of the requirement of Section 611.241(d) of maintaining a detectable RDC in the distribution system, "RDC" means a residual of free or combined chlorine.

BOARD NOTE: Derived from 40 CFR 141.2 (±1992 1993).

"SDWA" means the Public Health Service Act, as amended by the Safe Drinking Water Act, Pub. L. 93-523, 42 U.S.C. 300f et seq.

BOARD NOTE: Derived from 40 CFR 141.2 (±1992 1993).

"Sanitary survey" means an onsite review of the water source, facilities, equipment, operation and maintenance of a public water system (PWS) for the purpose of evaluating the adequacy of such source, facilities, equipment, operation and maintenance for producing and distributing safe drinking water.

BOARD NOTE: Derived from 40 CFR 141.2 (±1992 1993).

"Sedimentation" means a process for removal of solids before filtration by gravity or separation.

BOARD NOTE: Derived from 40 CFR 141.2 (±1992 1993).

"SEP" means special exception permit (Section 611.110).

"Slow sand filtration" means a process involving passage of raw water through a bed of sand at low velocity (generally less than 0.4 meters per hour (m/h)) resulting in substantial particulate removal by physical and biological mechanisms.

BOARD NOTE: Derived from 40 CFR 141.2 (±1992 1993).

"SOC" or "Synthetic organic chemical contaminant" refers to that group of contaminants designated as "SOCs", or "synthetic organic chemicals" or "synthetic organic contaminants", in USEPA U.S. EPA regulatory discussions and guidance documents. "SOCs" include alachlor, aldicarb, aldicarb sulfone, aldicarb sulfoxide, atrazine, benzo[a]pyrene, carbofuran, chlordane, dalapon, dibromomethylene (ethylene dibromide or EDB), dibromochloropropane (DBCP), di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate, dinoseb, diquat, endothall, endrin, glyphosate, heptachlor, heptachlor epoxide,

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hexachlorobenzene, hexachlorocyclopentadiene, lindane, methoxychlor, oxamyl, pentachlorophenol, picloram, simazine, toxaphene, polychlorinated biphenyls (PCBs), 2,4-D, 2,3,7,8-TCDD, and 2,4,5-TP.

"Standard sample" means the aliquot of finished drinking water that is examined for the presence of coliform bacteria.

BOARD NOTE: Derived from 40 CFR 141.2 (±1992 1993).

"Supplier of water" or "supplier" means any person who owns or operates a public water system (PWS). This term includes the "Official custodian".

BOARD NOTE: Derived from 40 CFR 141.2 (±1992 1993).

"Surface water" means all water that is open to the atmosphere and subject to surface runoff.

BOARD NOTE: Derived from 40 CFR 141.2 (±1992 1993).

"SWS" means "surface water system", a public water supply (PWS) that uses only surface water sources, including "groundwater under the direct influence of surface water".

BOARD NOTE: Drawn from 40 CFR 141.23(b)(2) and 141.24(f)(2) note (±1992 1993).

"System with a single service connection" means a system that supplies drinking water to consumers via a single service line.

BOARD NOTE: Derived from 40 CFR 141.2 (±1992 1993).

"Too numerous to count" means that the total number of bacterial colonies exceeds 200 on a 47-mm diameter membrane filter used for coliform detection.

BOARD NOTE: Derived from 40 CFR 141.2 (±1992 1993).

"Total trihalomethanes" or "TTHM" means the sum of the concentration of trihalomethanes (THMs), in milligrams per liter (mg/L), rounded to two significant figures.

BOARD NOTE: Derived from the definition of "total trihalomethanes" in 40 CFR 141.2 (±1992 1993). See the definition of THMs for a listing of the four compounds that USEPA U.S. EPA considers TTHMs to comprise.

"Transient, non-community water system" or "transient non-CWS" or "TNCWS" means a public water system (PWS) that is neither a community water system ("CWS") nor a non-transient, noncommunity water system ("TNCWS").

BOARD NOTE: The federal regulations apply to all "public water systems", which are defined as all systems having at least 15 service connections or regularly serving water to at least 25 persons. See 42 U.S.C. 300f(4). The Act mandates that the Board and the Agency regulate "public water supplies", which it defines as having at least 15 service connections or regularly serving 25 persons daily at least

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60 days per year. See Ill. Rev. Stat. 1991 ch. 111 1/2, par. 1003.28 [415 ICs 5/3.28]. The Department of Public Health regulates transient non-community water systems.

"Treatment" means any process that changes the physical, chemical, microbiological, or radiological properties of water, is under the control of the supplier, and is not a "point of use" or "point of entry treatment device" as defined in this Section. "Treatment" includes, but is not limited to aeration, coagulation, sedimentation, filtration, activated carbon treatment, disinfection, and fluoridation.

"Trihalomethane" or "THM" means one of the family of organic compounds, named as derivatives of methane, wherein three of the four hydrogen atoms in methane are each substituted by a halogen atom in the molecular structure. The THM are:

Trichloromethane (coliform),
Dibromochloromethane,
Bromodichloromethane and
Tribromomethane (bromoform)

BOARD NOTE: Derived from the definitions of "total trihalomethanes" and "trihalomethanes" in 40 CFR 141.2 (1992 1993).

"ug" means micrograms (1/1,000,000th of a gram).

"USEPA U.S. EPA" means the U.S. Environmental Protection Agency.

"Virus" means a virus of fecal origin that is infectious to humans by waterborne transmission.

"VOC" or "volatile organic chemical contaminant" refers to that group of contaminants designated as VOCs, or "volatile organic chemicals" or "volatile organic contaminants", in USEPA U.S. EPA regulatory discussions and guidance documents. dichloromethane, tetrachloromethane (carbon tetrachloride), trichloroethylene, vinyl chloride, 1,1,1-trichloroethane (methyl chloroform), 1,1-dichloroethylene, 1,2 dichloroethane, cis-1,2-dichloroethylene, ethylbenzene, 1,2,4-trichlorobenzene, o-dichlorobenzene, styrene, 1,2,4-trichlorobenzene, 1,1,2-trichloroethane, tetrachloroethylene, toluene, trans-1,2-dichloroethylene, xylene, and 1,2-dichloropropane. BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

"Waterborne disease outbreak" means the significant occurrence of acute infectious illness, epidemiologically associated with the ingestion of water from a public water system (PWS) that is deficient in treatment, as determined by the appropriate local or State agency. BOARD NOTE: Derived from 40 CFR 141.2 (1992 1993).

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"Wellhead Protection Program" means the wellhead protection program for the State of Illinois, approved by USEPA U.S. EPA under section 1428 of the SDWA.

BOARD NOTE: Derived from 40 CFR 141.71(b) (1992 1993). The wellhead protection program will include the "groundwater protection needs assessment" under Section 17.1 of the Act, and regulations to be adopted in 35 Ill. Adm. Code 615 et seq.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 611.102 Incorporations by Reference

a) Abbreviations. The following abbreviated names are used in this Part to refer to materials incorporated by reference:

"AEEPA-1 Polymer" is available from Advanced Polymer Systems.

"ASTM" means American Society for Testing and Materials.

"Atomic Absorption-Platform Furnace Method" or "AA-Platform Furnace Method" means "Determination of Trace Elements by Stabilized Temperature Graphite Furnace Atomic Absorption Spectrometry -- Method 200.9"

"Indigo Method" is as described in "Standard Methods", 17th Edition, Method 4500-03 B.

"Inductively Coupled Plasma-Mass Spectrometry Method" or "ICP-MS Method" means "Determination of Trace Elements in Water and Wastes by Inductively-Coupled Plasma-Mass Spectrometry -- Method 200.8"

"Inductively Coupled Plasma Method 200.7" or "ICP Method 200.7" means "Inductively Coupled Plasma-Atomic Emission Spectrometric Method for Trace Element Analysis in Water and Wastes -- Method 200.7, with appendix" See 40 CFR 136, Appendix C.

"Inductively Coupled Plasma Method 200.7, Rev. 3.2" or "ICP Method 200.7, Rev. 3.2" means "Determination of Metals and Trace Elements in Water and Wastes by Inductively Coupled Plasma-Atomic Emission Spectrometry -- Method 200.7, Revision 3.2" See 40 CFR 136, Appendix C.

"Ion Chromatography Method 300.0" means "Determination of Inorganic Ions in Water by Ion Chromatography -- Method 300.0"

"Microbiological Methods" means "Microbiological Methods for

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Monitoring the Environment, Water and Wastes", available from NTIS.

"MMO-MUG Test" means "minimal medium ortho-nitrophenyl-beta-d-galactopyranoside - 4-methyl-umbelliferyl-beta-D-glucuronide test", available from EnviroNetics, Inc.

"NCRP" means "National Council on Radiation Protection".

"NTIS" means "National Technical Information Service".

"Radiochemical Methods" means "Interim Radiochemical Methodology for Drinking Water", available from NTIS.

"Standard Methods", means "Standard Methods for the Examination of Water and Wastewater", available from the American Waterworks Association.

"Technicon Methods" means "Fluoride in Water and Wastewater", available from Technicon.

"USEPA Asbestos Methods" or "U.S. EPA Asbestos Methods" means "Analytical Method for Determination of Asbestos Fibers in Water", available from NTIS.

"USEPA Dioxin and Furan Method 1613" or "U.S. EPA Dioxin and Furan Method 1613" means "tetra- through octa- chlorinated Dioxins and Furans by Isotope Dilution, available from USEP-OST.

"USEPA Environmental Metals Methods" or "U.S. EPA Environmental Metals Methods" means "Methods for the Determination of Metals in Environmental Samples", available from NTIS.

"USEPA Inorganic Methods" or "U.S. EPA Inorganic Methods" means "Methods for Chemical Analysis of Water and Wastes", available from NTIS and ORD Publications.

"USEPA Ion Chromatography Method 300.0" or "U.S. EPA Ion Chromatography Method 300.0" means "Method 300.0, Determination of Inorganic Anions in Water by Ion Chromatography", available from USEPA-EMSL.

"USEPA Organic Methods" means or "U.S. EPA Organic Methods" means "Methods for the Determination of Organic Compounds in Finished Drinking Water and Raw Source Water", September, 1986, available from NTIS and USEPA-EMSL, for the purposes of Section 611.647 only--and: "Methods for the Determination of Organic Compounds in Drinking Water", December, 1988, available from NTIS and ORD Publications, for the purposes of Sections 611.646 and 611.648

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only: and "Methods for the Determination of Organic Compounds in Drinking Water", available from NTIS, for the purposes of Section 611.685 only.

"USGS Methods" means "Methods for Determination of Inorganic Substances in Water and Fluvial Sediments", available from USGS.

b) The Board incorporates the following publications by reference:

Access Analytical Systems, Inc., See EnviroNetics, Inc.

ASTM. American Society for Testing and Materials, 1976 Race Street, Philadelphia, PA 19103 215/299-5585:

ASTM Method D511-88A and B, "Standard Test Methods for Calcium and Magnesium in Water", approved 1988.

ASTM Method D515-88A, "Standard Test Methods for Phosphorus in Water", approved 1988.

ASTM Method D858-88, "Standard Test Methods for Manganese in Water", approved August 19, 1988.

ASTM Method D859-88, Standard Test Method for Silica in Water", approved 1988.

ASTM Method 1067-88B, "Standard Test Methods for Acidity or Alkalinity in Water", approved 1988).

ASTM Method D1125-82B, "Standard Test Methods for Electrical Conductivity and Resistivity of Water", approved October 29, 1982.

ASTM Method D1179-72A or B, "Standard Test Methods for Fluoride in Water", approved July 28, 1972, reapproved 1978.

ASTM Method D1293-84B, "Standard Test Methods for pH of Water", approved October 26, 1984.

ASTM Method D1428-64, "Standard Test Methods for Sodium and Potassium in Water and Water-Formed Deposits by Flame Photometry", approved August 31, 1964, reapproved 1977.

ASTM Method D1688-90A or C, "Standard Test Methods for Copper in Water", approved 1990.

ASTM Method D0236-89A or B, "Standard Test Methods for Cyanide in Water", approved 1989.

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ASTM Method D2459-72, "Standard Test Method for Gamma Spectrometry in Water," 1975, reapproved 1981, discontinued 1988.

ASTM Method D2907-83, "Standard Test Methods for Microquantities of Uranium in Water by Fluorometry", approved May 27, 1983.

ASTM Method D2972-88A or B "Standard Test Methods for Arsenic in Water", approved 1988.

ASTM Method D3223-86, "Standard Test Method for Total Mercury in Water", approved February 28, 1986.

ASTM Method D3559-85D, "Standard Test Methods for Lead in Water", approved 1985.

ASTM Method D3645-84B, "Standard Test Methods for Beryllium in Water, Method B--Atomic Absorption, Graphite Furnace", approved Jan. 27, 1984.

ASTM Method D3697-87, "Standard Test Method for Antimony in Water", approved 1987.

ASTM Method D3859-84A, "Standard Test Methods for Selenium in Water, Method A--Atomic Absorption, Hydride Method", approved 1984.

ASTM Method D3859-88, "Standard Test Methods for Selenium in Water", approved June 24, 1988.

ASTM Method D3867-90, "Standard Test Methods for Nitrite-Nitrate in Water", approved January 10, 1990.

ASTM Method 4327-88, "Standard Test Method for Anions in Water by Ion Chromatography", approved 1988.

American Water Works Association et al., 6666 West Quincy Avenue, Denver, CO 80235 (303) 794-7711:

Standard Methods for the Examination of Water and Wastewater, 13th Edition, 1971.

Method 302, Gross Alpha and Gross Beta Radioactivity in Water (Total, Suspended and Dissolved).

Method 303, Total Radioactive Strontium and Strontium 90 in Water.

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Method 304, Radium in Water by Precipitation.

Method 305, Radium 226 by Radon in Water (Soluble, Suspended and Total).

Method 306, Tritium in Water.

Standard Methods for the Examination of Water and Wastewater, 14th Edition, 1976.

Method 214A, Turbidity, Nephelometric Method -- Nephelometric Turbidity Units (for the purposes of Section 611.560 turbidity only).

Methods 320 and 320A, Sodium, Flame Photometric Method.

Standard Methods for the Examination of Water and Wastewater, 16th Edition, 1985.

Method 212, Temperature.

Method 214A, Turbidity, Nephelometric Method -- Nephelometric Turbidity Units (for the purposes of Section 611.631 microbiological only).

Method 303A, Determination of Antimony, etc. by Direct Aspiration into an Air-Acetylene Flame.

Method 303E, Determination of Arsenic and Selenium by Conversion to Their Hydrides by Sodium Borohydride Reagent and Aspiration into an Atomic Absorption Atomizer.

Method 304, Determination of Micro Quantities of Aluminum, etc. by Electrothermal Atomic Absorption Spectrometry.

Method 307A, Arsenic, Atomic Absorption Spectrophotometric Method.

Method 307B, Arsenic, Silver Diethyldithiocarbamate Method.

Method 408C, Chlorine (Residual), Amperometric Titration Method.

Method 408D, Chlorine (Residual), DPD Ferrous Titrimetric Method.

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- Method 408E, Chlorine (Residual), DPD Colorimetric Method.
- Method 408F, Chlorine (Residual), Leuco Crystal Violet Method.
- Method 410B, Chlorine Dioxide, Amperometric Method.
- Method 410C, Chlorine Dioxide, DPD Method (Tentative).
- Method 413A, Fluoride, Preliminary Distillation Step.
- Method 413B, Fluoride, Electrode Method.
- Method 413C, Fluoride, SPADNS Method.
- Method 413E, Fluoride, Complexone Method.
- Method 423, pH Value.
- Method 907A, Pour Plate Method.
- Method 908, Multiple Tube Fermentation Technique for Members of the Coliform Group.
- Method 908A, Standard Coliform Multiple-Tube (MPN) Tests.
- Method 908B, Application of Tests to Routine Examinations.
- Method 908C, Fecal Coliform MPN Procedure.
- Method 908D, Estimation of Bacterial Density.
- Method 908E, Presence-Absence (P-A) Coliform Test (Tentative).
- Method 909, Membrane Filter Technique for Members of the Coliform Group.
- Method 909A, Standard Total Coliform Membrane Filter Procedure.
- Method 909B, Delayed Incubation Total Coliform Procedure.
- Method 909C, Fecal Coliform Membrane Filter Procedure.

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- Method 3120, Metals by Plasma Emission Spectroscopy.
- Method 3500-Ca D, Calcium EDTA Titrimetric Method.
- Method 4110, Determination of Anions by Ion Chromatography.
- Method 4500-H(+), pH Value.
- Standard Methods for the Examination of Water and Wastewater, 17th Edition, 1989.
- Method 2320, Alkalinity.
- Method 2510, Conductivity.
- Method 2550, Temperature.
- Method 3111 B, Metals by Flame Atomic Absorption Spectrometry, Direct Air-Acetylene Flame Method.
- Method 3111 D, Metals by Flame Atomic Absorption Spectrometry, Direct Nitrous Oxide-Acetylene Flame Method.
- Method 3112 B, Metals by Cold-Vapor Atomic Absorption Spectrometry, Cold-Vapor Atomic Absorption Spectrometric Method.
- Method 3113, Metals by Electrothermal Atomic Absorption Spectrometry.
- Method 3113 B, Metals by Electrothermal Atomic Absorption Spectrometry, Electrothermal Atomic Absorption Spectrometric Method.
- Method 3114 B, Metals by Hydride Generation/Atomic Absorption Spectrometry, Manual Hydride Generation/Atomic Absorption Spectrometric Method.
- Method 3120, Metals by Plasma Emission Spectroscopy.
- Method 3500-Ca D, Calcium, EDTA Titrimetric Method.
- Method 4110, Determination of Anions by Ion Chromatography.
- Method 4500-CN D, Cyanide, Titrimetric Method.
- Method 4500-CN E, Cyanide, Colorimetric Method.

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Method 4500-CN F, Cyanide, Cyanide-Selective Electrode Method.

Method 4500-CN G, Cyanide, Cyanides Amenable to Chlorination after Distillation.

Method 4500-H(+), pH Value.

Method 4500-NO E, Nitrogen (Nitrate), Cadmium Reduction Method.

Method 4500-NO F, Nitrogen (Nitrate), Automated Cadmium Reduction Method.

Method 4500-O[3], Ozone (Residual), Indigo Colorimetric Method (Proposed).

Method 4500-P F, Phosphorus, Automated Ascorbic Acid Reduction Method.

Method 4500-Si D, Silica, Molybdosilicate Method.

Method 4500-Si E, Silica, Heteropoly Blue Method.

Method 4500-Si F, Silica, Automated method for Molybdate-Reactive Silica.

Advanced Polymer Systems 3696 Haven Avenue, Redwood City, CA 94063 415/366-2626:

AEPA-1 Polymer. See 40 CFR 141.22(a). Also, as referenced in ASTM D1889.

Environetics, Inc., 21 Business Park Drive, Branford, CT 06405 800/321-0207:

MMO-MUG tests: Colilert P/A or Colilert MPN.

ERDA Health and Safety Laboratory, New York, NY:

HASL Procedure Manual, HASL 300, 1973. See 40 CFR 141.25(b)(2).

Millipore Corporation, Waters Chromatography Division, 34 Maple St., Milford, MA 01757 800/252-4752:

Waters Test Method for the Determination of Nitrite/Nitrate in Water Using Single Column Ion Chromatography, Method B-1011.

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NCRP. National Council on Radiation Protection, 7910 Woodmont Ave., Bethesda, MD (301) 657-2652:

"Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure", NCRP Report Number 22, June 5, 1959.

NTIS. National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161 (703) 487-4600 or (800) 336-4700:

Analytical Method for Determination of Asbestos Fibers in Water, EPA-600/4-83-043, September, 1983, Doc. No. PB83-160471.

"Methods of Chemical Analysis of Water and Wastes", March, 1979. EPA-600/4-79-020, Doc. No. PB84-297686.

"Methods for Chemical Analysis of Water and Wastes", March, 1983, Doc. No. PB84-128677, for all methods referenced except methods 180.1 (turbidity, Section 611.560) and 273.1 and 273.2 (sodium, Section 611.630).

"Methods for Chemical Analysis of Water and Wastes", March, 1979, Doc. No. PB84-128677, only for methods 180.1 (turbidity, Section 611.560) and 273.1 and 273.2 (sodium, Section 611.630).

"Methods for the Determination of Metals in Environmental Samples", 1991, Doc. No. PB91-231498.

"Methods for the Determination of Organic Compounds in Finished Drinking Water and Raw Source Water", EPA/600/4-88/039, September, 1986, Doc. No. PB89-220461. (For the purposes of Section 611.647 only.)

"Methods for the Determination of Organic Compounds in Drinking Water", EPA/600/4-88/039, December 1988, Doc. Nos. PB91-231480 and PB91-146027. (For the purposes of Sections 611.646 and 611.648 only; including Method 515.1, revision 5.0 and Method 525.1, revision 3.0 (May, 1991).)

"Methods for the Determination of Organic Compounds in Finished Drinking Water", EPA/600/4-88/039, revised July, 1991. (For the purposes of Section 611.685 only; including methods 502.2 and 524.2.)

"Microbiological Methods for Monitoring the Environment: Water and Wastes", R. Bodner and J. Winter, 1978. EPA-600/8-78-017, Doc. No. PB290-329/LP.

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous

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Solutions", H.L. Krieger and S. Gold, EPA-R4-73-014, May, 1973, Doc. No. PB222-154/7BA.

ORD Publications, CERI, EPA, Cincinnati, OH 45268:

"Methods for Chemical Analysis of Water and Wastes", March, 1983, (EPA-600/4-79-020), for all methods referenced except methods 180.1 (turbidity, Section 611.560) and 273.1 and 273.2 (sodium, Section 611.630).

"Methods for the Determination of Organic Compounds in Drinking Water", EPA/600/4-88/039, December, 1988, Doc. Nos. PB91-231480 and PB91-146027. (For the purposes of Section 611.646 only.) See NTIS.

"Methods for Chemical Analysis of Water and Wastes", March, 1979, (EPA-600/4-79-020), only for methods 180.1 (turbidity, Section 611.560) and 273.1 and 273.2 (sodium, Section 611.630).

Orion Research, Inc., 529 Main St., Boston, MA 02129 800/225-1480:

Orion Guide to Water and Wastewater Analysis, Form WEWG/5880, p. 5.

Technicon Industrial Systems, Tarrytown, NY 10591:

"Fluoride in Water and Wastewater", Industrial Method #129-71W, December, 1972 See 40 CFR 141.23(f)(10), footnotes 6 and 7.

"Fluoride in Water and Wastewater", #380-75WE, February, 1976. See 40 CFR 141.23(f)(10), footnotes 6 and 7.

United States Environmental Protection Agency, EMSL, EPA, Cincinnati, OH 45268:

"The Analysis of Trihalomethanes in Drinking Waters by the Purge and Trap Method", Method 501.1. See 40 CFR 141, Subpart C, Appendix C.

"The Analysis of Trihalomethanes in Drinking Water by Liquid/Liquid Extraction," Method 501.2. See 40 CFR 141, Subpart C, Appendix C.

"Inductively Coupled Plasma-Atomic Emission Spectrometric Method for Trace Element Analysis in Water and Wastes -- Method 200.7, with Appendix to Method 200.7" entitled, "Inductively Coupled Plasma-Atomic Emission Analysis of Drinking Water" (Appendix 200.7A), March 1987 (EPA/600/4-91/010). See 40 CFR 136, Appendix C.

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"Interim Radiochemical Methodology for Drinking Water", EPA-600/4-75-008 (Revised) March, 1976.

"Methods for the Determination of Organic Compounds in Finished Drinking Water and Raw Source Water", September, 1986. (For the purposes of Section 611.647 only.) See NTIS.

"Methods for Chemical Analysis of Water and Wastes". See NTIS and ORD Publications.

"Microbiological Methods for Monitoring the Environment: Water and Wastes". See NTIS.

"Volatile Organic Compounds in Water by Purge and Trap Capillary Gas Chromatography/Mass Spectrometry", Method 524.2, order number PB91-231480. (For purposes of Section 611.685 only.) See NTIS.

"Volatile Organic Compounds in Water by Purge and Trap Capillary Gas Chromatography with Photoionization and Electrolytic Conductivity Detector in Series", Method 502.2, order number PB 91-231480. (For purposes of Section 621.685 only.) See NTIS.

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions". See NTIS.

USEPA-697 U.S. EPA-OST (United States Environmental Protection Agency, Office of Science and Technology), P.O. Box 1407, Arlington, VA 22313:

"Tetra- through Octa- Chlorinated Dioxins and Furans by Isotope Dilution".

United States Environmental Protection Agency, Science and Technology Branch, Criteria and Standards Division, Office of Drinking Water, Washington D.C. 20460:

"Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems using Surface Water Sources", October, 1989.

USGS. United States Geological Survey, 1961 Stout St., Denver, CO 80294 303/844-4169:

Techniques of Water-Resources Investigation of the United States Geological Survey:

Book 5, Chapter A-1, "Methods for Determination of Inorganic Substances in Water and Fluvial Sediments", 3d ed., Open-File Report 85-495, 1989.

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- c) The Board incorporates the following federal regulations by reference:
40 CFR 136, Appendix B and C (1992 1993).
- d) This Part incorporates no future amendments or editions.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 611.212 Groundwater under Direct Influence of Surface Water

The Agency shall, pursuant to Section 611.201, require all CWSS to demonstrate whether they are using "groundwater under the direct influence of surface water" by June 29, 1994. The Agency shall determine with information provided by the supplier whether a PWS uses "groundwater under the direct influence of surface water" on an individual basis. The Agency shall determine that a groundwater source is under the direct influence of surface water based upon:

- Physical characteristics of the source: whether the source is obviously a surface water source, such as a lake or stream. Other sources which may be subject to influence from surface waters include: springs, infiltration galleries, wells or other collectors in subsurface aquifers.
- Well construction characteristics and geology with field evaluation.
 - The Agency may use the wellhead protection program's requirements, which include delineation of wellhead protection areas, assessment of sources of contamination and implementation of management control systems, to determine if the wellhead is under the influence of surface water.
 - Wells less than or equal to 50 feet in depth are likely to be under the influence of surface water.
 - Wells greater than 50 feet in depth are likely to be under the influence of surface water, unless they include:
 - A surface sanitary seal using bentonite clay, concrete or similar material.
 - A well casing that penetrates consolidated (slowly permeable) material--~~And~~, and/or
 - A well casing that is only perforated or screened below consolidated (slowly permeable) material.

- Any structural modifications to prevent the direct influence of surface water and eliminate the potential for Giardia lamblia cyst contamination.
- Source water quality records. The following are indicative that a source is under the influence of surface water:
 - A record of total coliform or fecal coliform contamination in untreated samples collected over the past three years.
 - A history of turbidity problems associated with the source--~~077~~
 - A history of known or suspected outbreaks of Giardia lamblia or

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- e) Significant and relatively rapid shifts in water characteristics such as turbidity, temperature, conductivity or pH.
- A variation in turbidity of 0.5 NTU or more over one year is indicative of surface influence.
 - A variation in temperature of 9 Fahrenheit degrees or more over one year is indicative of surface influence.

- Significant and relatively rapid shifts in water characteristics such as turbidity, temperature, conductivity or pH which closely correlate to climatological or surface water conditions are indicative of surface water influence.

- Evidence of particulate matter associated with the surface water--~~077~~ or
- Turbidity or temperature data which correlates to that of a nearby water source.

- Particulate analysis: Significant occurrence of insects or other macroorganisms, algae or large diameter pathogens such as Giardia lamblia is indicative of surface influence.
 - "Large diameter" particulates are those over 7 micrometers.
 - Particulates must be measured as specified in the "Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems using Surface Water Sources", incorporated by reference in Section 611.102.

- The potential for contamination by small-diameter pathogens, such as bacteria or virus, does not alone render the source "under the direct influence of surface water".

Board Note: Derived from the definition of "groundwater under the direct influence of surface water" in 40 CFR 141.27--~~adopted-at-54-Fed-Reg-275367-June-29-1989~~ (1993); from the Preamble at 54 Fed. Reg. 274897 (June 29, 1989); and from the USEPA "Guidance Manual for Compliance with the Filtration and Disinfection Requirement for Public Water Systems using Surface Water Sources", incorporated by reference in Section 611.102.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 611.356 Tap Water Monitoring for Lead and Copper

- Sample site location.

- Selecting a pool of targeted sampling sites.

- By the applicable date for commencement of monitoring under subsection (d)(1) below, each supplier shall complete a materials evaluation of its distribution system in order to identify a pool of targeted sampling sites that meets the requirements of this Section.

- The pool of targeted sampling sites must be sufficiently large to ensure that the supplier can collect the number of

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lead and copper tap samples required by subsection (c) below.

C) The supplier shall select the sites for collection of first draw samples from this pool of targeted sampling sites.

D) The supplier shall not select as sampling sites any faucets that have point-of-use or point-of-entry treatment devices designed to remove or capable of removing inorganic contaminants.

2) Materials evaluation.

A) A supplier shall use the information on lead, copper, and galvanized steel collected pursuant to 40 CFR 141.42(d) (special monitoring for corrosivity characteristics) when conducting a materials evaluation.

B) When an evaluation of the information collected pursuant to 40 CFR 141.42(d) is insufficient to locate the requisite number of lead and copper sampling sites that meet the targeting criteria in subsection (a) above, the supplier shall review the following sources of information in order to identify a sufficient number of sampling sites:

i) all plumbing codes, permits, and records in the files of the building department(s) that indicate the plumbing materials that are installed within publicly- and privately-owned structures connected to the distribution system;

ii) all inspections and records of the distribution system that indicate the material composition of the service connections which connect a structure to the distribution system;

iii) all existing water quality information, which includes the results of all prior analyses of the system or individual structures connected to the system, indicating locations that may be particularly susceptible to high lead or copper concentrations; and

iv) the supplier shall seek to collect such information where possible in the course of its normal operations (e.g., checking service line materials when reading water meters or performing maintenance activities).

3) Tiers of sampling sites. Suppliers shall categorize the sampling sites within their pool according to the following tiers:

A) CWS Tier 1 sampling sites. "CWS Tier 1 sampling sites" shall include the following single-family structures:

i) those that contain copper pipes with lead solder installed after 1982 or which contain lead pipes; or

ii) those that are served by a lead service line.

BOARD NOTE: This allows the pool of CWS tier 1 sampling sites to consist exclusively of structures served by lead service lines.

B) CWS Tier 2 sampling sites. "CWS Tier 2 sampling sites" shall include the following buildings, including

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multiple-family structures:

i) those that contain copper pipes with lead solder installed after 1982 or contain lead pipes; or

ii) those that are served by a lead service line.

BOARD NOTE: This allows the pool of CWS tier 2 sampling sites to consist exclusively of structures served by lead service lines.

C) CWS Tier 3 sampling sites. "CWS Tier 3 sampling sites" shall include the following single-family structures: those that contain copper pipes with lead solder installed before 1983.

D) NTNCWS Tier 1 sampling sites. "NTNCWS Tier 1 sampling sites" shall include the following buildings:

i) those that contain copper pipes with lead solder installed after 1982 or which contain lead pipes; or

ii) those that are served by a lead service line.

BOARD NOTE: This allows the pool of NTNCWS tier 1 sampling sites to consist exclusively of buildings served by lead service lines.

E) Alternative NTNCWS sampling sites. "Alternative NTNCWS sampling sites" shall include the following buildings: those that contain copper pipes with lead solder installed before 1983.

4) Selection of sampling sites. Suppliers shall select sampling sites for their sampling pool as follows:

A) CWS Suppliers. CWS Suppliers shall use CWS tier 1 sampling sites, except that the supplier may include CWS tier 2 or CWS tier 3 sampling sites in its sampling pool as follows:

i) If multiple-family residences comprise at least 20 percent of the structures served by a supplier, the supplier may use CWS tier 2 sampling sites in its sampling pool; or

ii) If the CWS supplier has an insufficient number of CWS tier 1 sampling sites on its distribution system, the supplier may use CWS tier 2 sampling sites in its sampling pool; or

iii) If fewer than 20 percent of the structures served by the supplier are multiple-family residences, and the CWS supplier has an insufficient number of CWS tier 1 and CWS tier 2 sampling sites on its distribution system, the supplier may complete its sampling pool with CWS tier 3 sampling sites.

iv) If the supplier has an insufficient number of CWS tier 1 sampling sites, CWS tier 2 sampling sites, and CWS tier 3 sampling sites, the supplier shall use those CWS tier 1 sampling sites, CWS tier 2 sampling sites, and CWS tier 3 sampling sites that it has, and the supplier shall randomly select an additional pool of representative sites on its distribution system for

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the balance of its sampling sites.

B) NTCWS suppliers.

- i) An NTCWS supplier shall select NTCWS tier 1 sampling sites for its sampling pool, except if the NTCWS supplier has an insufficient number of NTCWS tier 1 sampling sites, the supplier may complete its sampling pool with alternative NTCWS sampling sites.
- ii) If the NTCWS supplier has an insufficient number of NTCWS tier 1 sampling sites and NTCWS alternative sampling sites, the supplier shall use those NTCWS tier 1 sampling sites and NTCWS alternative sampling sites that it has, and the supplier shall randomly select an additional pool of representative sites on its distribution system for the balance of its sampling sites.

C) Agency submission by suppliers with an insufficient number of CWS or NTCWS tier 1 sampling sites.

- i) Any CWS or NTCWS supplier whose sampling pool does not include a sufficient number of sites to consist exclusively of CWS tier 1 sampling sites or NTCWS tier 1 sampling sites, as appropriate, shall submit a letter to the Agency under Section 611.360(a)(2) that demonstrates why a review of the information listed in subsection (a)(2) above was inadequate to locate a sufficient number of CWS tier 1 sampling sites or NTCWS tier 1 sampling sites.
- ii) Any CWS supplier that wants to include CWS tier 3 sampling sites in its sampling pool shall demonstrate in a letter to the Agency why it was unable to locate a sufficient number of CWS tier 1 sampling sites and CWS tier 2 sampling sites.

- iii) If the Agency determines, based on the information submitted pursuant to subsection (a)(4)(C)(i) or (a)(4)(C)(ii) above, that either the information was inadequate to locate a sufficient number of CWS tier 1 sampling sites or NTCWS tier 1 sampling sites, or that the supplier was unable to locate a sufficient number of CWS tier 1 sampling sites and CWS tier 2 sampling sites, the Agency shall issue a SEP to the supplier pursuant to Section 611.110 that allows it to use CWS tier 2 sampling sites, NTCWS tier 2 sampling sites, or CWS tier 3 sampling sites, as appropriate.

D) Suppliers with lead service lines. Any supplier whose distribution system contains lead service lines shall draw samples during each six-month monitoring period from sampling sites as follows:

- i) 50 percent of the samples from sampling sites that contain lead pipes or from sampling sites that have copper pipes with lead solder, and

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- ii) 50 percent of those samples from sites served by a lead service line.
- iii) A supplier that cannot identify a sufficient number of sampling sites served by a lead service line shall demonstrate in a letter to the Agency under Section 611.360(a)(4) that it was unable to locate a sufficient number of such sites.
- iv) If the Agency determines, based on the information submitted pursuant to subsection (a)(4)(D)(iii) above, that a supplier that cannot identify a sufficient number of sampling sites served by a lead service line, the Agency shall issue a SEP to the supplier pursuant to Section 611.110 that allows it to collect first draw samples from all of the sites on its distribution system identified as being served by such lines.

BOARD NOTE: This allows the pool of sampling sites to consist exclusively of structures or buildings served by lead service lines.

b) Sample collection methods.

- 1) All tap samples for lead and copper collected in accordance with this Subpart, with the exception of lead service line samples collected under Section 611.354(c), shall be first-draw samples.
- 2) First-draw tap samples.

- A) Each first-draw tap sample for lead and copper shall be one liter in volume and have stood motionless in the plumbing system of each sampling site for at least six hours.

- B) First-draw samples from residential housing shall be collected from the cold water kitchen tap or bathroom sink tap.

- C) First-draw samples from a non-residential building shall be collected at an interior tap from which water is typically drawn for consumption.

- D) First-draw samples may be collected by the supplier or the supplier may allow residents to collect first-draw samples after instructing the residents of the sampling procedures specified in this subsection.

- i) To avoid problems of residents handling nitric acid, acidification of first-draw samples may be done up to 14 days after the sample is collected.

- ii) If the first-draw sample is not acidified immediately after collection, then the sample must stand in the original container for at least 28 hours after acidification.

- E) If a supplier allows residents to perform sampling under subsection (b)(2)(D) above, the supplier may not challenge the accuracy of sampling results based on alleged errors in sample collection.

3) Service line samples.

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- A) Each service line sample shall be one liter in volume and have stood motionless in the lead service line for at least six hours.
- B) Lead service line samples shall be collected in one of the following three ways:

- i) at the tap after flushing that volume of water calculated as being between the tap and the lead service line based on the interior diameter and length of the pipe between the tap and the lead service line;
- ii) tapping directly into the lead service line; or
- iii) if the sampling site is a single-family structure, allowing the water to run until there is a significant change in temperature that would be indicative of water that has been standing in the lead service line.

4) Follow-up first-draw tap samples.

- A) A supplier shall collect each follow-up first-draw tap sample from the same sampling site from which it collected the previous sample(s).
- B) If, for any reason, the supplier cannot gain entry to a sampling site in order to collect a follow-up tap sample, the supplier may collect the follow-up tap sample from another sampling site in its sampling pool, as long as the new site meets the same targeting criteria and is within reasonable proximity of the original site.

c) Number of samples

- 1) Suppliers shall collect at least one sample from the number of sites listed in the first column of Section 611.351(a)(4) (labelled "standard monitoring") during each six-month monitoring period specified in subsection (d) below.
- 2) A supplier conducting reduced monitoring pursuant to subsection (d)(4) below may collect one sample from the number of sites specified in the second column of Section 611.351(a)(4) (labelled "reduced monitoring") during each reduced monitoring period specified in subsection (d)(4) below.

d) Timing of monitoring

- 1) Initial tap sampling.
The first six-month monitoring period for small, medium-sized and large system suppliers shall begin on the dates specified in Section 611.351(a)(4).
- A) All large system suppliers shall monitor during each of two consecutive six-month periods.
- B) All small and medium-sized system suppliers shall monitor during each consecutive six-month monitoring period until:
 - i) the supplier exceeds the lead action level or the copper action level and is therefore required to implement the corrosion control treatment requirements under Section 611.351, in which case the supplier shall continue monitoring in accordance with subsection (d)(2) below, or

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- ii) the supplier meets the lead action level and the copper action level during each of two consecutive six-month monitoring periods, in which case the supplier may reduce monitoring in accordance with subsection (d)(4) below.
- 2) Monitoring after installation of corrosion control and source water treatment.
- A) Any large system supplier that installs optimal corrosion control treatment pursuant to Section 611.351(d)(4) shall monitor during each of two consecutive six-month monitoring periods before the date specified in Section 611.351(d)(5).
 - B) Any small or medium-sized system supplier that installs optimal corrosion control treatment pursuant to Section 611.351(e)(5) shall monitor during each of two consecutive six-month monitoring periods before the date specified in Section 611.351(e)(6).
 - C) Any supplier that installs source water treatment pursuant to Section 611.353(a)(3) shall monitor during each of two consecutive six-month monitoring periods before the date specified in Section 611.353(a)(4).
- 3) Monitoring after the Agency specification of water quality parameter values for optimal corrosion control.
After the Agency specifies the values for water quality control parameters pursuant to Section 611.352(f), the supplier shall monitor during each subsequent six-month monitoring period, with the first six-month monitoring period to begin on the date the Agency specifies the optimal values.

4) Reduced monitoring.

- A) Reduction to annual for small and medium-sized system suppliers meeting the lead and copper action levels. A small or medium-sized system supplier that meets the lead and copper action levels during each of two consecutive six-month monitoring periods may reduce the number of samples in accordance with subsection (c) above, and reduce the frequency of sampling to once per year.
- B) SEP allowing reduction to annual for suppliers maintaining water quality control parameters.
 - i) The Agency shall, be a SEP granted pursuant to Section 611.110, allow any supplier to reduce the frequency of monitoring to annual and the number of lead and copper samples to that specified by subsection (c) above if it determines that a supplier has, during each of two consecutive six-month monitoring periods, maintained the range of values for the water quality control parameters specified pursuant to Section 611.352(f) as reflecting optimal corrosion control treatment.
 - ii) Any supplier may request a SEP if it concurrently provides the Agency with the information necessary to

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support a determination under subsection (d)(4)(B)(i) above.

iii) The Agency shall set forth the basis for its determination under subsection (d)(4)(B)(i) above.

iv) The Agency shall, by a SEP issued pursuant to Section 611.110, review, and where appropriate, revise its subsection (d)(4)(B)(i) above determination when the supplier submits new monitoring or treatment data, or when other data relevant to the number and frequency of tap sampling becomes available to the Agency.

C) Reduction to triennial for small and medium-sized system suppliers.

i) Small and medium-sized system suppliers meeting lead and copper action levels. A small or medium-sized system supplier that meets the lead and copper action levels during three consecutive years of monitoring may reduce the frequency of monitoring for lead and copper from annually to once every three years.

ii) SEP for suppliers meeting optimal corrosion control treatment. The Agency shall, by a SEP granted pursuant to Section 611.110, allow a supplier to reduce its monitoring frequency from annual to triennial if it determines that the supplier, during each of these consecutive years of monitoring, has maintained the range of values for the water quality control parameters specified as representing optimal corrosion control treatment pursuant to Section 611.352(f). Any supplier may request a SEP if it concurrently provides the Agency with the information necessary to support a determination under this subsection. The Agency shall set forth the basis for its determination. The Agency shall, by a SEP issued pursuant to Section 611.110, review, and where appropriate, revise its determination when the supplier submits new monitoring or treatment data, or when other data relevant to the number and frequency of tap sampling becomes available to the Agency.

D) Sampling at a reduced frequency. A supplier that reduces the number and frequency of sampling shall collect these samples from sites included in the pool of targeted sampling sites identified in subsection (a) above, preferentially selecting those sampling sites from the highest tier first. Suppliers sampling annually or less frequently shall conduct the lead and copper tap sampling during the months of June, July, August, or September.

E) Resumption of standard monitoring.

i) Small or medium-sized suppliers exceeding lead or copper action level. A small or medium-sized system supplier subject to reduced monitoring that exceeds

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the lead action level or the copper action level shall resume sampling in accordance subsection (d)(3) above and collect the number of samples specified for standard monitoring under subsection (c) above. Such a supplier shall also conduct water quality parameter monitoring in accordance with Section 611.357 (b), (c), or (d) (as appropriate) during the six-month monitoring period in which it exceeded the action level.

ii) Suppliers failing to operate within water quality control parameters. Any supplier subject to reduced monitoring frequency that fails to operate within the range of values for the water quality control parameters specified pursuant to Section 611.352(f) shall resume tap water sampling in accordance with subsection (d)(3) above and collect the number of samples specified for standard monitoring under subsection (c) above.

e) Additional monitoring. The results of any monitoring conducted in addition to the minimum requirements of this section shall be considered by the supplier and the Agency in making any determinations (i.e., calculating the 90th percentile lead action level or the copper level) under this Subpart.

BOARD NOTE: Derived from 40 CFR 141.86 (1992 1993).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 611.532 Unfiltered PWSS

A supplier that uses a surface water source and does not provide filtration treatment shall begin monitoring December 31, 1990, unless the Agency has determined, pursuant to Section 611.211, that filtration is required, in which case the Agency shall specify alternative monitoring requirements, as appropriate, until filtration is in place. A supplier that uses a groundwater source under the direct influence of surface water and does not provide filtration treatment shall begin monitoring beginning December 31, 1990, or 6 months after the Agency determines, pursuant to Section 611.211, that the groundwater source is under the direct influence of surface water, whichever is later, unless the Agency has determined that filtration is required, in which case the Agency shall specify alternative monitoring requirements, as appropriate, until filtration is in place.

a) Fecal coliform or total coliform density measurements as required by Section 611.231(a) must be performed on representative source water samples immediately prior to the first or only point of disinfectant application. The supplier shall sample for fecal or total coliforms at the minimum frequency specified in Table B each week the supplier serves water to the public. Also, one fecal or total coliform density measurement must be made every day the supplier serves water to the public.

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public and the turbidity of the source water exceeds 1 NTU (these samples count towards the weekly coliform sampling requirement) unless the Agency determines that the supplier, for logistical reasons outside the supplier's control cannot have the sample analyzed within 30 hours of collection.

- b) Turbidity measurements as required by Section 611.131(b) must be performed on representative grab samples of source water immediately prior to the first or only point of disinfectant application every four hours (or more frequently) that the supplier serves water to the public. A supplier may substitute continuous turbidity monitoring for grab sample monitoring if it validates the continuous measurement for accuracy on a regular basis using a protocol approved by special exception permit.

- c) The total inactivation ratio for each day that the supplier is in operation must be determined based on the $CT_{99-9}[99.9]$ values in Appendix B as appropriate. The parameters necessary to determine the total inactivation ratio must be monitored as follows:

- 1) The temperature of the disinfected water must be measured at least once per day at each RDC sampling point.
- 2) If the supplier uses chlorine, the pH of the disinfected water must be measured at least once per day at each chlorine RDC sampling point.
- 3) The disinfectant contact time(s) ("T") must be determined for each day during peak hourly flow.
- 4) The RDC(s) ("C") of the water before or at the first customer must be measured each day during peak hourly flow.
- 5) If a supplier uses a disinfectant other than chlorine, the supplier may monitor by other methods approved pursuant to Section 611.241(a)(1) and (2).

- d) The total inactivation ratio must be calculated as follows:

- 1) If the supplier uses only one point of disinfectant application, the supplier may determine the total inactivation ratio based on either of the following two methods:

A) One inactivation ratio ($Ai = CT_{99-9}[99.9]$) is determined before or at the first customer during peak hourly flow and, if the Ai is greater than 1.0, the 99.9 percent Giardia lamblia inactivation requirement has been achieved; or

B) Successive Ai values, representing sequential inactivation ratios, are determined between the point of disinfectant application and a point before or at the first customer during peak hourly flow. Under this alternative, the following method must be used to calculate the total inactivation ratio:

- i) Determine, for each sequence:

$$Ai = CT_{99-9}[99.9]$$

- ii) Add the Ai values together:

$$B = \text{SUM}(Ai)$$

- iii) If B is greater than 1.0, the 99.9 percent Giardia

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- lamblia inactivation requirement has been achieved.
- 2) If the supplier uses more than one point of disinfectant application before or at the first customer, the supplier shall determine the CT value of each disinfection sequence immediately prior to the next point of disinfectant application during peak hourly flow. The Ai value of each sequence and B must be calculated using the method in subsection (d)(1)(B) to determine if the supplier is in compliance with Section 611.241.

- 3) Although not required, the total percent inactivation (PI) for a supplier with one or more points of RDC monitoring may be calculated as follows:

$$PI = 100 - (100/10(3B))$$

- e) The RDC of the water entering the distribution system must be monitored continuously, and the lowest value must be recorded each day, except that if there is a failure in the continuous monitoring equipment, grab sampling every 4 hours may be conducted in lieu of continuous monitoring, but for no more than 5 working days following the failure of the equipment, and suppliers serving 3,300 or fewer persons may take grab samples in lieu of providing continuous monitoring on an ongoing basis at the frequencies prescribed in Table C. If at any time the RDC falls below 0.2 mg/L in a system using grab sampling in lieu of continuous monitoring, the supplier shall take a grab sample every 4 hours until the RDC is equal to or greater than 0.2 mg/L.

- f) Points of measurement.

- 1) The RDC must be measured at least at the same points in the distribution system and at the same time as total coliforms are sampled, as specified in Section 611.521 et seq., except that the Agency shall allow a supplier which uses both a surface water source or a groundwater source under direct influence of surface water, and a groundwater source to take disinfectant residual samples at points other than the total coliform sampling points if the Agency determines, by special exception permit, that such points are more representative of treated (disinfected) water quality within the distribution system. HPC may be measured in lieu of RDC.

- 2) If the Agency determines, pursuant to Section 611.213, a supplier has no means for having a sample analyzed for HPC, the requirements of subsection (f)(1) do not apply to the supplier.
BOARD NOTE: Derived from 40 CFR 141.74(b) (49991993) ~~7-as-amended at-54-Fed-Reg-775267-June-29-1999.~~

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 611.602 Asbestos Monitoring Frequency

The frequency of monitoring conducted to determine compliance with the MCL for asbestos in Section 611.301 is as follows:

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- a) Unless the Agency has determined under subsection (c) that the PWS is not vulnerable, each CWS and NTNWS supplier shall monitor for asbestos during the first compliance period of each compliance cycle, beginning January 1, 1993.
- b) CWS suppliers may apply to the Agency, by way of an application for a SEP under Section 611.110, for a determination that the CWS is not vulnerable based on consideration of the criteria listed in subsection (c) below.
- c) The Agency shall determine that the CWS is "not vulnerable" if the CWS is not vulnerable to contamination either from asbestos in its source water, from corrosion of asbestos-cement pipe, or from both, based on a consideration of the following factors:
- 1) Potential asbestos contamination of the water source; and
 - 2) The use of asbestos-cement pipe for finished water distribution and the corrosive nature of the water.
- d) A SEP based on a determination that a CWS is not vulnerable to asbestos contamination expires at the end of the compliance cycle for which it was issued.
- e) A supplier of a PWS vulnerable to asbestos contamination due solely to corrosion of asbestos-cement pipe shall take one sample at a tap served by asbestos-cement pipe and under conditions where asbestos contamination is most likely to occur.
- f) A supplier of a PWS vulnerable to asbestos contamination due solely to source water shall monitor in accordance with Section 611.601.
- g) A supplier of a PWS vulnerable to asbestos contamination due both to its source water supply and corrosion of asbestos-cement pipe shall take one sample at a tap served by asbestos-cement pipe and under conditions where asbestos contamination is most likely to occur.
- h) A supplier that exceeds the MCL, as determined in Section 611.609, shall monitor quarterly beginning in the next quarter after the violation occurred.
- i) Reduction of quarterly monitoring.
- 1) The Agency shall issue a SEP pursuant to Section 611.110 that reduces the monitoring frequency to that specified by subsection (a) if it determines that the sampling point is reliably and consistently below the MCL.
 - 2) The request must, at a minimum, include the following information:
 - A) For a CWS: two quarterly samples.
 - B) For an SWS or mixed system: four quarterly samples.
 - 3) In issuing a SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (h) above if it violates the MCL specified by Section 611.609.
 - j) If the Agency determines that data collected after January 1, 1990 are generally consistent with the requirements of this Section, it may

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grant a SEP pursuant to Section 611.110 that allows the supplier to use those data to satisfy the requirements of this Section for the compliance period beginning January 1, 1993.

BOARD NOTE: Derived from 40 CFR 141.23(b) (1991 1993).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 611.603 Inorganic Monitoring Frequency

The frequency of monitoring conducted to determine compliance with the revised MCLs in Section 611.301 for antimony, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, selenium, and thallium is as follows:

- a) Supplier shall take samples at each sampling point, beginning in the initial compliance period, as follows:

- 1) For CWSs: at least one sample very three years;
- 2) For SWSs and mixed systems: at least one sample each year.

BOARD NOTE: Derived from 40 CFR 141.23(c)(1) (1991 1993) ~~7--as amended--et-57--red--Reg-31039--tduty-17-1992~~.

- b) SEP Application. The supplier may apply to the Agency for a SEP that allows reduction from the monitoring frequencies specified in subsection (a) above pursuant to subsections (d) through (f) below and Section 611.110.

BOARD NOTE: Drawn from 40 CFR 141.23(c)(2) and (c)(6) (1991 1993).

- c) SEP Procedures. The Agency shall review the request pursuant to the SEP procedures of Section 611.110 based on consideration of the factors in subsection (e) below.

BOARD NOTE: Drawn from 40 CFR 141.23(c)(6) (1991 1993).

- d) Standard for SEP reduction in monitoring. The Agency shall grant a SEP that allows a reduction in the monitoring frequency if the supplier demonstrates that all previous analytical results were less than the MCL, provided the supplier meets the following minimum data requirements:

- 1) For CWS suppliers: A minimum of three rounds of monitoring.
- 2) For SWS and mixed system suppliers: annual monitoring for at least three years.

- 3) At least one sample must have been taken since January 1, 1990.

- 4) A supplier that uses a new water source is not eligible for a SEP until it completes three rounds of monitoring from the new source.

BOARD NOTE: Drawn from 40 CFR 141.23(c)(4) (1993).

- e) Standard for SEP monitoring conditions. As a condition of any SEP, the Agency shall require that the supplier take a minimum of one sample during the term of the SEP. In determining the appropriate reduced monitoring frequency, the Agency shall consider:

- 1) Reported concentrations from all previous monitoring;
- 2) The degree of variation in reported concentrations; and
- 3) Other factors may affect contaminant concentrations, such as changes in groundwater pumping rates, changes in the CWSs

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configuration, the CWS's operating procedures, or changes in stream flows or characteristics.

BOARD NOTE: Drawn from 40 CFR 141.23(c)(3) and (c)(5) (1991 1993).

f) SEP Conditions and Revision.

- 1) A SEP will expire at the end of the compliance cycle for which it was issued.

BOARD NOTE: Drawn from 40 CFR 141.23(c)(3) (1991 1993).

- 2) In issuing a SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. A SEP must provide that the Agency will review and, where appropriate, revise its determination of the appropriate monitoring frequency when the supplier submits new monitoring data or when other data relevant to the supplier's appropriate monitoring frequency become available.

BOARD NOTE: Drawn from 40 CFR 141.23(c)(6) (1991 1993).

- g) A supplier that exceeds the MCL for barium, cadmium, chromium, fluoride, mercury, or selenium, as determined in Section 611.609, shall monitor quarterly for that contaminant, beginning in the next quarter after the violation occurred.

BOARD NOTE: Derived from 40 CFR 141.23(c)(7) (1991 1993).

h) Reduction of quarterly monitoring.

- 1) The Agency shall grant a SEP pursuant to Section 611.110 that reduces the monitoring frequency to that specified by subsection (a) above if it determines that the sampling point is reliably and consistently below the MCL.

- 2) A request for a SEP must include the following minimal information:

A) For a GWS: two quarterly samples.

B) For an SWS or mixed system: four quarterly samples.

- 3) In issuing the SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring for any contaminant pursuant to subsection (g) above if it violates the MCL specified by Section 611.609 for that contaminant.

BOARD NOTE: Derived from 40 CFR 141.23(c)(8) (1991 1993).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 611.607 More Frequent Monitoring and Confirmation Sampling

This Section corresponds with 40 CFR 141.23(g), a federal provision authorizing the states to require more frequent monitoring and confirmation sampling with regard to 40 CFR 141.23(b) through (e) (corresponding with Sections 611.602 through 611.605). The Act authorizes the Board to adopt such requirements.

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The Board has not done so at this Section. This statement maintains structural consistency with USEPA U.S. EPA rules.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 611.609 Averaging Determining Compliance

Compliance with the MCLs of Sections 611.300 or 611.301 (as appropriate) must be determined based on the analytical result(s) obtained at each sampling point.

- a) For suppliers that monitor at a frequency greater than annual, compliance with the MCLs for antimony, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, selenium, and thallium is determined by a running annual average at each sampling point.

- 1) If the average at any sampling point is greater than the MCL, then the supplier is out of compliance.

- 2) If any one sample would cause the annual average to be exceeded, then the supplier is out of compliance immediately.

- 3) Any sample below the method detection limit must be calculated at zero for the purpose of determining the annual average.

BOARD NOTE: The "method detection limit" is different from the "detection limit", as set forth in Section 611.600. The "method detection limit" is the level of contaminant that can be determined by a particular method with a 95 percent degree of confidence, as determined by the method outlined in 40 CFR 136, Appendix B, incorporated by reference at Section 611.102.

- b) For suppliers that monitor annually or less frequently, compliance with the MCLs for antimony, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, selenium, and thallium is determined by the level of the contaminant at any sampling point. If a confirmation sample is taken, the determination of compliance will be based on the average of the two samples.

- c) Compliance with the MCLs for nitrate and nitrite is determined based on one sample if the levels of these contaminants are below the MCLs. If the levels of nitrate or nitrite exceed the MCLs in the initial sample, Section 611.606 requires confirmation sampling, and compliance is determined based on the average of the initial and confirmation samples.

- d) When the portion of the distribution system that is out of compliance is separable from other parts of the distribution system and has no interconnections, the supplier may give the public notice required by Subpart T only to persons served by that portion of the distribution system not in compliance.

BOARD NOTE: Derived from 40 CFR 141.23(i) (1991 1993) 7-ss-amended-at 57-Redt-Reg-31039-4341y-17-1992.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

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Section 611.612 Monitoring Requirements for Old Inorganic MCLs

- a) Analyses for the purpose of determining compliance with the old inorganic MCLs of Section 611.300 are required as follows:
- 1) Analyses for all CWSs utilizing surface water sources must be repeated at yearly intervals.
 - 2) Analyses for all CWSs utilizing only groundwater sources must be repeated at three-year intervals.
 - 3) This subsection corresponds with 40 CFR 141.23(l)(3) (~~1992~~ 1993), which requires monitoring for the repealed old MCL for nitrate at a frequency specified by the state. The Board has followed the USEPA U.S. EPA lead and repealed that old MCL. This statement maintains structural consistency with USEPA U.S. EPA rules.
 - 4) This subsection corresponds with 40 CFR 141.23(l)(4) (~~1992~~ 1993), which authorizes the state to determine compliance and initiate enforcement action. This authority exists through the authorization of the Act, not through federal rules. This statement maintains structural consistency with USEPA U.S. EPA rules.
- b) If the result of an analyses made under subsection (a) above indicates that the level of any contaminant listed in Section 611.300 exceeds the old MCL, the supplier shall report to the Agency within 7 days and initiate three additional analyses at the same sampling point within one month.
- c) When the average of four analyses made pursuant to subsection (b) above, rounded to the same number of significant figures as the old MCL for the substance in question, exceeds the old MCL, the supplier shall notify the Agency and give notice to the public pursuant to Subpart T of this Part. Monitoring after public notification must be at a frequency designated by the Agency by a SEP granted pursuant to Section 611.110 and must continue until the old MCL has not been exceeded in two successive samples or until a different monitoring schedule becomes effective as a condition to a variance, an adjusted standard, a site specific rule, an enforcement action, or another SEP granted pursuant to Section 611.110.
- d) This subsection corresponds with 40 CFR 141.23(o) (~~1992~~ 1993), which pertains to monitoring for the repealed old MCL for nitrate. The Board has followed the USEPA U.S. EPA action and repealed that old MCL. This statement maintains structural consistency with USEPA U.S. EPA rules.
- e) This subsection corresponds with 40 CFR 141.23(p) (~~1992~~ 1993), which pertains to the use of existing data up until a date long since expired. The Board did not adopt the original provision in R88-26. This statement maintains structural consistency with USEPA U.S. EPA rules.
- f) Analyses conducted to determine compliance with the old MCLs of Section 611.300 must be made in accordance with the following methods,

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incorporated by reference in Section 611.102.

- 1) Arsenic:
- A) ASTM:
 - i) Method D2972-88A, or
 - ii) Method D2972-88B;
 - B) Standard Methods:
 - i) Method 307A, or
 - ii) Method 307B;
 - C) USGS Methods, Method I-1062-85;
 - D) USEPA U.S. EPA Inorganic Methods:
 - i) Method 206.2, or
 - ii) Method 206.3; or
 - E) ICP Method 200.7, as supplemented by Appendix 200.7A.
- 2) Fluoride: The methods specified in Section 611.611(c) shall apply for the purposes of this Section.
- 3) Cyanide, until the cyanide MCL of Section 611.300 is no longer effective:
- A) Standard Methods: Method 4500-CN D, E, F, or G;
 - B) USEPA U.S. EPA Inorganic Methods: Methods 335.1, 335.2, or 335.3; or
 - C) ASTM Methods D2036-89A or B.
- 4) Iron:
- A) Standard Methods: Method 303A;
 - B) USEPA U.S. EPA Inorganic Methods:
 - i) Method 236.1, or
 - ii) Method 236.2; or
 - C) ICP Method 200.7, as supplemented by Appendix 200.7A.
- 5) Manganese:
- A) ASTM: Method D858-84;
 - B) Standard Methods: Method 303A;
 - C) USEPA U.S. EPA Inorganic Methods:
 - i) Method 243.1, or
 - ii) Method 243.2; or
 - D) ICP Method 200.7, as supplemented by Appendix 200.7A.
- 6) Zinc:
- A) Standard Methods: Method 303A; or
 - B) USEPA U.S. EPA Inorganic Methods:
 - i) Method 289.1, or
 - ii) Method 289.2.
- BOARD NOTE: The provisions of subsections (a) through (f)(3) above derived from 40 CFR 141.23(l) through (q) (~~1992~~ 1993). The Board has deleted several analytical methods codified by USEPA U.S. EPA at 40 CFR 141.23(g) (formerly 40 CFR 141.23(f)) because the MCLs of 40 CFR 141.11 expired for those contaminants on July 30 and November 30, 1992. Subsection (f)(2) above relates to a contaminant for which USEPA U.S. EPA specifies an MCL, but for which it repealed the analytical method. Subsections (f)(4) through (f)(6) above relate

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exclusively to additional state requirements. The predecessor to subsections (a) through (e) above were formerly codified as Section 611.601. The predecessor to subsection (f) above was formerly codified as Section 611.606.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 611.646 Phase I, Phase II, and Phase V Volatile Organic Contaminants

Monitoring of the Phase I VOCs and Phase II VOCs for the purpose of determining compliance with the MCL must be conducted as follows:

a) Definitions. As used in this Section:

"Detect" and "detection" means that the contaminant of interest is present at a level greater than or equal to the "detection limit".

"Detection limit" means 0.0005 mg/L.

BOARD NOTE: Derived from 40 CFR 141.24(f)(7), (f)(11), (f)(14)(i), and (f)(20) (1992 1993). This is a "trigger level" for Phase I, Phase II, and Phase V VOCs inasmuch as it prompts further action. The use of the term "detect" in this section is not intended to include any analytical capability of quantifying lower levels of any contaminant, or the "method detection limit". Note, however, that certain language at the end of federal paragraph (f)(20) is capable of meaning that the "method detection limit" is used to derive the "detection limit". The Board has chosen to disregard that language at the end of paragraph (f)(20) in favor of the more direct language of paragraphs (f)(7) and (f)(11).

"Method detection limit", as used in subsections (q) and (t) below means the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero and is determined from analysis of a sample in a given matrix containing the analyte. BOARD NOTE: Derived from 40 CFR 136, Appendix B (1993). The method detection limit is determined by the procedure set forth in 40 CFR 136, Appendix B. See subsection (t) below.

b) Required sampling. Each supplier shall take a minimum of one sample at each sampling point at the times required in subsection (u) below.

c) Sampling points.

1) Sampling points for GWSs. Unless otherwise provided by SEP, a GWS supplier shall take at least one sample from each of the following points: each entry point that is representative of each well after treatment.

2) Sampling points for SMSs and mixed systems. Unless otherwise provided by SEP, a SMS or mixed system supplier shall sample from each of the following points:

A) Each entry point after treatment; or
B) Points in the distribution system that are representative of each source.

3) The supplier shall take each sample at the same sampling point unless the Agency has granted a SEP that designates another location as more representative of each source, treatment plant, or within the distribution system.

4) If a system draws water from more than one source, and the sources are combined before distribution, the supplier shall sample at an entry point during periods of normal operating conditions when water is representative of all sources being used.

BOARD NOTE: Subsections (b) and (c) above derived from 40 CFR 141.24(f)(1) through (f)(3) (1992 1993).

d) Each GWS and MTCWS supplier shall take four consecutive quarterly samples for each of the Phase I VOCs, excluding vinyl chloride, and Phase II VOCs during each compliance period, beginning in the compliance period starting in the initial compliance period.

e) Reduction to annual monitoring frequency. If the initial monitoring for the Phase I, Phase II, and Phase V VOCs as allowed in subsection (r)(1) below has been completed by December 31, 1992, and the supplier did not detect any of the Phase I VOCs, including vinyl chloride, Phase II, or Phase V VOCs, then the supplier shall take one sample annually beginning in the initial compliance period.

f) GWS reduction to triennial monitoring frequency. After a minimum of three years of annual sampling, GWS suppliers that have not previously detected any of the Phase I VOCs, including vinyl chloride, Phase II, or Phase V VOCs shall take one sample during each three-year compliance period.

g) A GWS or MTCWS supplier that has completed the initial round of monitoring required by subsection (d) above and which did not detect any of the Phase I VOCs, including vinyl chloride, Phase II, and Phase V VOCs may apply to the Agency for a SEP pursuant to Section 611.110 that releases it from the requirements of subsection (e) or (f) above. A supplier that serves fewer than 3300 service connections may apply to the Agency for a SEP pursuant to Section 611.110 that releases it from the requirements of subsection (d) above as to 1,2,4-trichlorobenzene.

BOARD NOTE: Derived from 40 CFR 141.24(f)(7) and (f)(10) (1992 1993), as amended--at-57-Ped-Reg-31841-177-19927, and the discussion at 57 Fed. Reg. 31825 (July 17, 1992). Provisions concerning the term of the waiver appear below in subsections (i) and (j) below. The definition of "detect", parenthetically added to the federal counterpart paragraph is in subsection (a) above.

h) Vulnerability Assessment. The Agency shall consider the factors of Section 611.110(e) in granting a SEP from the requirements of

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subsections (d), (e), or (f) above sought pursuant to subsection (g) above.

- i) A SEP issued to a GWS pursuant to subsection (g) above is for a maximum of six years, except that a SEP as to the subsection (d) above monitoring for 1,2,4-trichlorobenzene shall apply only to the initial round of monitoring. As a condition of a SEP, except as to a SEP from the initial round of subsection (d) above monitoring for 1,2,4-trichlorobenzene, the supplier shall, within 30 months after the beginning of the period for which the waiver was issued, reconfirm its vulnerability assessment required by subsection (h) above and submitted pursuant to subsection (g) above, by taking one sample at each sampling point and reapplying for a SEP pursuant to subsection (g) above. Based on this application, the Agency shall either:
 - 1) If it determines that the PWS meets the standard of Section 611.610(e), issue a SEP that reconfirms the prior SEP for the remaining three-year compliance period of the six-year maximum term; or,

- 2) Issue a new SEP requiring the supplier to sample annually.
- BOARD NOTE: This provision does not apply to SWSs and mixed systems.

j) Special considerations for SEPs for SWS and mixed systems.

- 1) The Agency must determine that a SWS is not vulnerable before issuing a SEP pursuant to a SWS supplier. A SEP issued to a SWS or mixed system supplier pursuant to subsection (g) above is for a maximum of one compliance period; and
- 2) The Agency may require, as a condition to a SEP issued to a SWS or mixed supplier, that the supplier take such samples for Phase I, Phase II, at such a frequency as the Agency determines are necessary, based on the vulnerability assessment.

BOARD NOTE: There is a great degree of similarity between 40 CFR 141.24(f)(7), the provision applicable to GWSs, and 40 CFR 141.24(f)(10), the provision for SWSs. The Board has consolidated the common requirements of both paragraphs into subsection (g) above. Subsection (j) above represents the elements unique to SWSs and mixed systems, and subsection (i) above relates to GWSs. Although 40 CFR 141.24(f)(7) and (f)(10) are silent as to mixed systems, the Board has included mixed systems with SWSs because this best follows the federal scheme for all other contaminants.

- k) If one of the Phase I VOCs, excluding vinyl chloride, Phase II, or Phase V VOCs is detected in any sample, then:

- 1) The supplier shall monitor quarterly for that contaminant at each sampling point that resulted in a detection.

- 2) Annual monitoring.

A) The Agency shall grant a SEP pursuant to Section 611.110 that allows a supplier to reduce the monitoring frequency to annual at a sampling point if it determines that the sampling point is reliably and consistently below the MCL.

B) A request for a SEP must include the following minimal

information:

- i) For a GWS, two quarterly samples.
 - ii) For a SWS or mixed system, four quarterly samples.
- C) In issuing a SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (k)(1) above if it violates the MCL specified by Section 611.311.

- 3) Suppliers that monitor annually shall monitor during the quarter(s) that previously yielded the highest analytical result.
- 4) Suppliers that do not detect a contaminant at a sampling point in three consecutive annual samples may apply to the Agency for a SEP pursuant to Section 611.110 that allows it to discontinue monitoring for that contaminant at that point, as specified in subsection (g) above.

- 5) A GWS supplier that has detected one or more of the two-carbon contaminants listed in subsection (k)(5)(A) below shall monitor quarterly for vinyl chloride as described in subsection (k)(5)(B) below, subject to the limitation of subsection (k)(5)(C) below.

A) Two-carbon contaminants (Phase I or II VOC):

- 1,2-Dichloroethane (Phase I)
- 1,1-Dichloroethylene (Phase I)
- cis-1,2-Dichloroethylene (Phase II)
- trans-1,2-Dichloroethylene (Phase II)
- Tetrachloroethylene (Phase II)
- 1,1,1-Trichloroethylene (Phase I)
- Trichloroethylene (Phase I)

- B) The supplier shall sample quarterly for vinyl chloride at each sampling point at which it detected one or more of the two-carbon contaminants listed in subsection (k)(5)(A) above.

- C) The Agency shall grant a SEP pursuant to Section 611.110 that allows the supplier to reduce the monitoring frequency for vinyl chloride at any sampling point to once in each three-year compliance period if it determines that the supplier has not detected vinyl chloride in first sample required by subsection (k)(5)(B) above.

- 1) Quarterly monitoring following MCL violations.

1) Suppliers that violate an MCL for one of the Phase I VOCs, including vinyl chloride, Phase II, or Phase V VOCs, as determined by subsection (o) below, shall monitor quarterly for that contaminant, at the sampling point where the violation occurred, beginning the next quarter after the violation.

- 2) Annual monitoring.

A) The Agency shall grant a SEP pursuant to Section 611.110 that allows a supplier to reduce the monitoring frequency to

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annually if it determines that the sampling point is reliably and consistently below the MCL.

- B) A request for a SEP must include the following minimal information: four quarterly samples.

- C) In issuing a SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (1)(1) above if it violates the MCL specified by Section 611.311.

- D) The supplier shall monitor during the quarter(s) that previously yielded the highest analytical result.

- m) Confirmation samples. The Agency may issue a SEP pursuant to Section 610.110 to require a supplier to use a confirmation sample for results that it finds dubious for whatever reason. The Agency must state its reasons for issuing the SEP if the SEP is Agency-initiated.

- 1) If a supplier detects any of the Phase I, Phase II, or Phase V VOCs in a sample, the supplier shall take a confirmation sample as soon as possible, but no later than 14 days after the supplier receives notice of the detection.

- 2) Averaging is as specified in subsection (o) below.

- 3) The Agency shall delete the original or confirmation sample if it determines that a sampling error occurred, in which case the confirmation sample will replace the original or confirmation sample.

- n) This subsection corresponds with 40 CFR 141.24(f)(14), an optional USEPA provision relating to compositing of samples that USEPA does not require for state programs. This statement maintains structural consistency with USEPA rules.

- o) Compliance with the MCLs for the Phase I, Phase II, and Phase V VOCs must be determined based on the analytical results obtained at each sampling point.

- 1) For suppliers that conduct monitoring at a frequency greater than annual, compliance is determined by a running annual average of all samples taken at each sampling point.

- A) If the annual average of any sampling point is greater than the MCL, then the supplier is out of compliance.

- B) If the initial sample or a subsequent sample would cause the annual average to exceed the MCL, then the supplier is out of compliance immediately.

- C) Any samples below the detection limit shall be deemed as zero for purposes of determining the annual average.

- 2) If monitoring is conducted annually, or less frequently, the supplier is out of compliance if the level of a contaminant at any sampling point is greater than the MCL. If a confirmation sample is taken, the determination of compliance is based on the average of two samples.

- 3) When the portion of the distribution system that is out of compliance is separable from other parts of the distribution system and has no interconnections, the supplier may issue the public notice for-a-supplier-out-of-compliance-as-governed required by Subpart T of this Part only to persons served by that portion of the distribution system that is not in compliance.

- p) Analyses for the Phase I, Phase II, and Phase V VOCs must be conducted using the following methods. These methods are contained in USPEA Organic Methods, incorporated by reference in Section 611.102:

- 1) Method 502.1: "Volatile Halogenated Organic Chemicals in Water by Purge and Trap Gas Chromatography".

- 2) Method 502.2: "Volatile Organic Compounds in Water by Purge and Trap Capillary Column Gas Chromatography with Photoionization and Electrolytic Conductivity Detectors in Series".

- 3) Method 503.1: "Volatile Aromatic and Unsaturated Organic Compounds in Water by Purge and Trap Gas Chromatography".

- 4) Method 524.1: "Measurement of Purgeable Organic Compounds in Water by Purged Column Gas Chromatography/Mass Spectrometry".

- 5) Method 524.2: "Measurement of Purgeable Organic Compounds in Water by Capillary Column Gas Chromatography/Mass Spectrometry".

- q) Analysis under this Section must only be conducted by laboratories that have received approval by USEPA or the Agency according to the following conditions:

- 1) To receive conditional approval to conduct analyses for the Phase I VOCs, excluding vinyl chloride, Phase II VOCs, and Phase V VOCs, the laboratory must:

- A) Analyze performance evaluation samples that include these substances provided by the Agency pursuant to 35 Ill. Adm. Code 183.125(c);

- B) Achieve the quantitative acceptance limits under subsections (q)(1)(C) and (q)(1)(D) below for at least 80 percent of the Phase I VOCs, excluding vinyl chloride, Phase II VOCs, except vinyl chloride, or Phase V VOCs;

- C) Achieve quantitative results on the analyses performed under subsection (q)(1)(A) above that are within ± 20 percent of the actual amount of the substances in the performance evaluation sample when the actual amount is greater than or equal to 0.010 mg/L;

- D) Achieve quantitative results on the analyses performed under subsection (q)(1)(A) above that are within ± 40 percent of the actual amount of the substances in the performance evaluation sample when the actual amount is less than 0.010 mg/L; and

- E) Achieve a method detection limit of 0.0005 mg/L, according to the procedures in 40 CFR 136, Appendix B, incorporated by reference in Section 611.102.

- 2) To receive conditional approval to conduct analyses for vinyl chloride the laboratory must:

- A) Analyze performance evaluation samples provided by the

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Agency pursuant to 35 Ill. Adm. Code 183.125(c);

B) Achieve quantitative results on the analyses performed under subsection (q)(2)(A) above that are within ± 40 percent of the actual amount of vinyl chloride in the performance evaluation sample;

C) Achieve a method detection limit of 0.0005 mg/L, according to the procedures in 40 CFR 136, Appendix B, incorporated by reference in Section 611.102; and

D) Obtain certification pursuant to subsection (q)(1) above for Phase I VOCs, excluding vinyl chloride, Phase II VOCs, and Phase V VOCs.

r) Use of existing data.

1) The Agency shall allow the use of data collected after January 1, 1988 but prior to the effective date of this Section, pursuant to Agency sample request letters, if it determines that the data are generally consistent with the requirements of this Section.

2) The Agency shall grant a SEP pursuant to Section 611.110 that allows a supplier to monitor annually beginning in the initial compliance period if it determines that the supplier did not detect any Phase I, Phase II, or Phase V VOC using existing data allowed pursuant to subsection (r)(1) above.

s) The Agency shall, by SEP, increase the number of sampling points or the frequency of monitoring if it determines that it is necessary to detect variations within the PWS.

t) Each laboratory approved for the analysis of Phase I, Phase II, or Phase V VOCs pursuant to subsection (q)(1) or (q)(2) above shall:

1) Determine the method detection limit (MDL), as defined in 40 CFR 136, Appendix B, incorporated by reference in Section 611.102, at which it is capable of detecting the Phase I, Phase II, and Phase V VOCs; and,

2) Achieve an MDL for each Phase I, Phase II, and Phase V VOC that is less than or equal to 0.0005 mg/L.

u) Each supplier shall monitor, within each compliance period, at the time designated by the Agency by SEP pursuant to Section 611.110.

BOARD NOTE: Derived from 40 CFR 141.24(f) (1992 1993) ~~as amended--at 57-Fed--Reg--31841-441y-17-1992~~.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 611.648 Phase II, Phase IIB, and Phase V Synthetic Organic Contaminants

Analysis of the Phase II, Phase IIB, and Phase V VOCs for the purposes of determining compliance with the MCL must be conducted as follows:

a) Definitions. As used in this Section:

"Detect or detection" means that the contaminant of interest is present at a level greater than or equal to the "detection limit".

"Detection limit" means the level of the contaminant of interest that is specified in subsection (r) below.

BOARD NOTE: This is a "trigger level" for Phase II, Phase IIB, and Phase V VOCs inasmuch as it prompts further action. The use of the term "detect" or "detection" in this section is not intended to include any analytical capability of quantifying lower levels of any contaminant, or the "method detection limit".

b) Required sampling. Each supplier shall take a minimum of one sample at each sampling point at the times required in subsection (q) below.

BOARD NOTE: USEPA stayed the effective date of the MCLs for aldicarb, aldicarb sulfone, and aldicarb sulfoxide at 57 Fed. Reg. 22178 (May 27, 1991). Section 611.31(c) includes this stay. However, despite the stay of the effectiveness of the MCLs for these three VOCs, suppliers must monitor for them.

c) Sampling points.

1) Sampling points for GWSs. Unless otherwise provided by SEP, a GWS supplier shall take at least one sample from each of the following points: each entry point that is representative of each well after treatment.

2) Sampling points for SWSs and mixed systems. Unless otherwise provided by SEP, a SWS or mixed system supplier shall sample from each of the following points:

A) Each entry point after treatment; or

B) Points in the distribution system that are representative of each source.

3) The supplier shall take each sample at the same sampling point unless the Agency has granted a SEP that designates another location as more representative of each source, treatment plant, or within the distribution system.

4) If a system draws water from more than one source, and the sources are combined before distribution, the supplier shall sample at an entry point during periods of normal operating conditions when water is representative of all sources being used.

BOARD NOTE: Subsections (b) and (c) above derived from 40 CFR 141.24(h)(1) through (h)(3) (1992 1993).

d) Monitoring frequency:

1) Each CWS and MTCWS supplier shall take four consecutive quarterly samples for each of the Phase II, Phase IIB, and Phase V VOCs during each compliance period, beginning in the three-year compliance period starting in the initial compliance period.

2) Suppliers serving more than 3,300 persons that do not detect a contaminant in the initial compliance period, shall take a minimum of two quarterly samples in one year of each subsequent three-year compliance period.

3) Suppliers serving less than or equal to 3,300 persons that do not detect a contaminant in the initial compliance period, shall take a minimum of one sample during each subsequent three-year compliance period.

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- e) Reduction to annual monitoring frequency. A CWS or NTCWS supplier may apply to the Agency for a SEP that releases it from the requirements of subsection (d) above. A SEP from the requirement of subsection (d) above shall last for only a single three-year compliance period.
- f) Vulnerability Assessment. The Agency shall grant a SEP from the requirements of subsection (d) above based on consideration of the factors set forth at Section 611.110(e).
- g) If one of the Phase II, Phase IIB, or Phase V SOCs is detected in any sample, then:
- 1) The supplier shall monitor quarterly for the contaminant at each sampling point that resulted in a detection.
 - 2) Annual monitoring.
 - A) A supplier may request that the Agency grant a SEP pursuant to Section 610.110 that reduces the monitoring frequency to annual.
 - B) A request for a SEP must include the following minimal information:
 - i) For a CWS, two quarterly samples.
 - ii) For a SWS or mixed system, four quarterly samples.
 - C) The Agency shall grant a SEP that allows annual monitoring at a sampling point if it determines that the sampling point is reliably and consistently below the MCL.
 - D) In issuing the SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (g)(1) above if it detects any Phase II SOC.
 - 3) Suppliers that monitor annually shall monitor during the quarter(s) that previously yielded the highest analytical result.
 - 4) Suppliers that have three consecutive annual samples with no detection of a contaminant at a sampling point may apply to the Agency for a SEP with respect to that point, as specified in subsections (e) and (f) above.
 - 5) Monitoring for related contaminants.
 - A) If monitoring results in detection of one or more of the related contaminants listed in subsection (g)(5)(B) below, subsequent monitoring shall analyze for all the related compounds in the respective group.
 - B) Related contaminants:
 - i) first group:
 - aldicarb
 - aldicarb sulfone
 - aldicarb sulfoxide
 - ii) second group:
 - heptachlor
 - heptachlor epoxide,

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- h) Quarterly monitoring following MCL violations.
- 1) Suppliers that violate an MCL for one of the Phase II, Phase IIB, or Phase V SOCs, as determined by subsection (k) below, shall monitor quarterly for that contaminant at the sampling point where the violation occurred, beginning the next quarter after the violation.
 - 2) Annual monitoring.
 - A) A supplier may request that the Agency grant a SEP pursuant to Section 611.110 that reduces the monitoring frequency to annual.
 - B) A request for a SEP must include, at a minimum, the results from four quarterly samples.
 - C) The Agency shall grant a SEP that allows annual monitoring at a sampling point if it determines that the sampling point is reliably and consistently below the MCL.
 - D) In issuing the SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (h)(1) above if it detects any Phase II SOC.
 - E) The supplier shall monitor during the quarter(s) that previously yielded the highest analytical result.
 - i) Confirmation samples.
 - 1) If any of the Phase II, Phase IIB, or Phase V SOCs are detected in a sample, the supplier shall take a confirmation sample as soon as possible, but no later than 14 days after the supplier receives notice of the detection.
 - 2) Averaging is as specified in subsection (k) below.
 - 3) The Agency shall delete the original or confirmation sample if it determines that a sampling error occurred, in which case the confirmation sample will replace the original or confirmation sample.
 - j) This subsection corresponds with 40 CFR 141.24(h)(10), an optional USEPA provision relating to compositing of samples that USEPA does not require for state programs. This statement maintains structural consistency with USEPA rules.
 - k) Compliance with the MCLs for the Phase II, Phase IIB, and Phase V SOCs shall be determined based on the analytical results obtained at each sampling point.
 - 1) For suppliers that are conducting monitoring at a frequency greater than annual, compliance is determined by a running annual average of all samples taken at each sampling point.
 - A) If the annual average of any sampling point is greater than the MCL, then the supplier is out of compliance.
 - B) If the initial sample or a subsequent sample would cause the annual average to be exceeded, then the supplier is out of compliance immediately.

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- C) Any samples below the detection limit must be calculated as zero for purposes of determining the annual average.
- 2) If monitoring is conducted annually or less frequently, the supplier is out of compliance if the level of a contaminant at any sampling point is greater than the MCL. If a confirmation sample is taken, the determination of compliance is based on the average of two samples.
- 3) When the portion of the distribution system that is out of compliance is separable from other parts of the distribution system and has no interconnections, the supplier may issue the public notice ~~for a supplier out of compliance is governed~~ required by Subpart T of this Part is only to persons served by that portion of the distribution system that is not in compliance.

BOARD NOTE: Derived from 40 CFR 141.24(h)(1) (1992 1993).

- 1) Analysis for Phase II, Phase IIB, and Phase V SOCs must be conducted using the following methods. These methods, except for USEPA Dioxin and Furan Method 1613, are contained in USEPA Organic Methods. All methods are incorporated by reference in Section 611.102.
- 1) Method 504: "1,2-Dibromoethane (EDB) and 1,2-Dibromo-3-chloropropane (DBCP) in Water by Microextraction and Gas Chromatography." Method 504 can be used to measure 1,2-Dibromo-3-chloropropane (dibromochloropropane or DBCP and 1,2-Dibromoethane (ethylene dibromide or EDB)).
 - 2) Method 505: "Analysis of Organohalide Pesticides and Commercial Polychlorinated Biphenyl Products (Aroclors) in Water by Microextraction and Gas Chromatography". Method 505 can be used to measure alachlor, atrazine, chlordane, DDT, dieldrin, endrin, heptachlor, heptachlor epoxide, hexachlorobenzene, hexachlorocyclopentadiene, lindane, methoxychlor, simazine, and toxaphene. Method 505 can be used as a screen for PCBs.
 - 3) Method 507: "Determination of Nitrogen- and Phosphorus-Containing Pesticides in Ground Water by Gas Chromatography with a Nitrogen-Phosphorus Detector". Method 507 can be used to measure alachlor, atrazine, and simazine.
 - 4) Method 508: "Determination of Chlorinated Pesticides in Water by Gas Chromatography with an Electron Capture Detector". Method 508 can be used to measure chlordane, DDT, dieldrin, endrin, heptachlor, heptachlor epoxide, hexachlorobenzene, lindane, methoxychlor, and toxaphene. Method 508 can be used as a screen for PCBs.
 - 5) Method 508A: "Screening for Polychlorinated Biphenyls by Perchlorination and Gas Chromatography". Method 508A is used to quantitate PCBs as decachlorobiphenyl if detected in Methods 505 or 508.
 - 6) Method 515.1, revision 5.0 (May, 1991): "Determination of Chlorinated Acids in Water by Gas Chromatography with an Electron Capture Detector". Method 515.1 can be used to measure 2,4-D, dalapon, dinoseb, pentachlorophenol, picloram, and 2,4,5-TP

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(Silvex).

- 7) Method 525.1, revision 3.0 (May, 1991): "Determination of Organic Compounds in Drinking Water by Liquid-Solid Extraction and Capillary Column Gas Chromatography/Mass Spectrometry". Method 525 can be used to measure alachlor, atrazine, chlordane, di(2-ethylhexyl)adipate, di(2-ethyl-hexyl)phthalate, endrin, heptachlor, heptachlor epoxide, hexachlorobenzene, hexachlorocyclopentadiene, lindane, methoxychlor, and pentachlorophenol polynuclear aromatic hydrocarbons, simazine, and toxaphene.
- 8) Method 531.1: "Measurement of N-Methyl Carbamoylozimes and N-Methyl Carbamates in Water by Direct Aqueous Injection HPLC with Post-Column Derivatization". Method 531.1 can be used to measure aldicarb, aldicarb sulfoxide, aldicarb sulfone, and carbofuran, and oxamyl.
- 9) USEPA Dioxin and Furan Method 1613: "Tetra- through Octa-Chlorinated Dioxins and Furans by Isotope Dilution". Method 1613 can be used to measure 2,3,7,8-TCDD (dioxin).
- 10) Method 547: "Analysis of Glyphosate in Drinking Water by Direct Aqueous Injection HPLC with Post-Column Derivatization", available from USEPA-OST. Method 547 can be used to measure glyphosate.
- 11) Method 548: "Determination of Endothall in Aqueous Samples". Method 548 can be used to measure endothall.
- 12) Method 549: "Determination of Diquat and Paraquat in Drinking Water by High Performance Liquid Chromatography with Ultraviolet Detection". Method 549 can be used to measure diquat.
- 13) Method 550: "Determination of Polycyclic Aromatic Hydrocarbons in Drinking Water by Liquid-Liquid Extraction and HPLC with Coupled Ultraviolet and Fluorescence Detection". Method 550 can be used to measure benzo-(a)pyrene and other polynuclear aromatic hydrocarbons.
- 14) Method 550.1: "Determination of Polycyclic Aromatic Hydrocarbons in Drinking Water by Liquid-Solid Extraction and HPLC with Coupled Ultraviolet and Fluorescence Detection". Method 550 can be used to measure benzo-(a)pyrene and other polynuclear aromatic hydrocarbons.
- m) Analysis for PCBs must be conducted as follows:
- 1) Each supplier that monitors for PCBs shall analyze each sample using either USEPA Organic Methods, Method 505 or Method 508.
 - 2) If PCBs are detected in any sample analyzed using USEPA Organic Methods, Methods 505 or 508, the supplier shall reanalyze the sample using 508A to quantitate the individual Aroclors (as decachlorobiphenyl).
 - 3) Compliance with the PCB MCL must be determined based upon the quantitative results of analyses using USEPA Organic Methods, Method 508A.
- n) Use of existing data.
- 1) The Agency shall allow the use of data collected after January 1,

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1990 but prior to the effective date of this Section, pursuant to Agency sample request letters, if it determines that the data are generally consistent with the requirements of this Section.

- 2) The Agency shall grant a SEP pursuant to Section 611.110 that allows a supplier to monitor annually beginning in the initial compliance period if it determines that the supplier did not detect any Phase I VOC or Phase II VOC using existing data allowed pursuant to subsection (n)(1) above.

- o) The Agency shall issued a SEP that increases the number of sampling points or the frequency of monitoring if it determines that this is necessary to detect variations within the PWS due to such factors as fluctuations in contaminant concentration due to seasonal use or changes in the water source.

BOARD NOTE: At 40 CFR 141.24(h)(15), USEPA uses the stated factors as non-limiting examples of circumstances that make additional monitoring necessary.

- p) This subsection corresponds with 40 CFR 141.24(h)(16), a USEPA provision that the Board has not adopted because it reserves enforcement authority to the state and would serve no useful function as part of the state's rules. This statement maintains structural consistency with USEPA rules.

- q) Each supplier shall monitor, within each compliance period, at the time designated by the Agency by SEP pursuant to Section 611.110.

- r) "Detection" means greater than or equal to the following concentrations for each contaminant:

Contaminant	Detection Limit (mg/L)
1) for PCBs (Aroclors):	
Aroclor	
1016	0.00008
1221	0.02
1232	0.0005
1242	0.0003
1248	0.0001
1254	0.0001
1260	0.0002
2) for other Phase II, Phase IIB, and Phase V SOCs:	
Contaminant	Detection Limit (mg/L)
Alachlor	0.0002
Aldicarb	0.0005
Aldicarb sulfoxide	0.0005
Aldicarb sulfone	0.0008
Atrazine	0.0001
Benzo(a)pyrene	0.00002
Carbofuran	0.0009
Chlordane	0.0002
2,4-D	0.0001
Dalapon	0.001
Dibromochloropropane (DBCP)	0.00002

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Di(2-ethylhexyl)adipate	0.0006
Di(2-ethylhexyl)phthalate	0.0006
Dinoseb	0.0002
Diquat	0.0004
Endrin	0.009
Endrin	0.0001
Ethylene dibromide (EDB)	0.0001
Glyphosate	0.006
Heptachlor	0.0004
Heptachlor epoxide	0.0002
Hexachlorobenzene	0.0001
Hexachlorocyclopentadiene	0.0001
Lindane	0.0002
Methoxychlor	0.0001
Oxamyl	0.002
Picloram	0.0001
Polychlorinated biphenyls (PCBs)	
(as decachlorobiphenyl)	0.0001
Pentachlorophenol	0.0004
Simazine	0.0007
Toxaphene	0.001
2,3,7,8-TCDD (dioxin)	0.00000005
2,4,5-TP (Silvex)	0.0002

s) Laboratory Certification.

- 1) Analyses under this Section must only be conducted by laboratories that have received approval by USEPA or the Agency according to the following conditions.
- 2) To receive certification to conduct analyses for the Phase II, Phase IIB, and Phase V SOCs the laboratory must:
- A) Analyze performance evaluation samples provided by the Agency pursuant to 35 Ill. Adm. Code 183.125(c) that include these substances; and
- B) Achieve quantitative results on the analyses performed under subsection (s)(2)(A) above that are within the acceptance limits set forth in subsection (s)(2)(C) below.

C) Acceptance limits:

SOC

SOC	Acceptance Limits
Alachlor	+ 45%
Aldicarb	2 standard deviations
Aldicarb sulfone	2 standard deviations
Aldicarb sulfoxide	2 standard deviations
Atrazine	+ 45%
Benzo(a)pyrene	2 standard deviations
Carbofuran	+ 45%
Chlordane	+ 45%
Dalapon	2 standard deviations
Di(2-ethylhexyl)adipate	2 standard deviations
Di(2-ethylhexyl)phthalate	2 standard deviations

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- e) For the methods cited in subsections (a) and (b) above, see 40 CFR 141, subpart C, appendix C, incorporated by reference in Section 611.102. Samples for TTHM must be dechlorinated upon collection to prevent further production of trihalomethanes, according to the procedures described in the above two methods. Samples for maximum TTHM potential must not be dechlorinated, and must be held for seven days at 25 degrees C (or above) prior to analysis, according to the procedures described in the above two methods.

BOARD NOTE: Derived from 40 CFR 141.30(e) (1999 1993).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 611.851 Reporting MCL and other Violations

A supplier that fails to comply with an applicable MCL or treatment technique established by this part or which fails to comply with the requirements of any schedule prescribed pursuant to a variance or adjusted standard shall notify persons served by the PWS as follows:

- Except as provided in subsection (c), the supplier shall give notice:
 - By publication in a daily newspaper of general circulation in the area served by the PWS as soon as possible, but in no case later than 14 days after the violation or failure. If the area served by a PWS is not served by a daily newspaper of general circulation, notice must instead be given by publication in a weekly newspaper of general circulation serving the area; and
 - By mail delivery (by direct mail or with the water bill), or by hand delivery, not later than 45 days after the violation or failure. This is not required if the Agency determines by SEP that the supplier in violation has corrected the violation or failure within the 45-day period; and
 - For violations of the MCLs of contaminants that pose an acute risk to human health, by furnishing a copy of the notice to the radio and television stations serving the area served by the PWS as soon as possible but in no case later than 72 hours after the violation. The following violations are acute violations:
 - Any violations posing an acute risk to human health, as specified in this part or as determined by the Agency on a case-by-case basis.
 - Violation of the MCL for nitrate or nitrite in Section 611.301.
 - Violation of the MCL for total coliforms, when fecal coliforms or E. coli are present in the water distribution system, as specified in Section 611.325(b).
 - Occurrence of a waterborne disease outbreak.
- Except as provided in subsection (c), following the initial notice given under subsection (a), the supplier shall give notice at least once every three months by mail delivery (by direct mail or with the water bill) or by hand delivery, for as long as the violation or

Dinoseb	2 standard deviations
Diquat	2 standard deviations
Endothall	2 standard deviations
Endrin	± 30%
Glyphosate	2 standard deviations
Dibromochloropropane (DBCP)	± 40%
Ethylene dibromide (EDB)	± 40%
Heptachlor	± 45%
Heptachlor epoxide	± 45%
Hexachlorobenzene	2 standard deviations
Hexachlorocyclopentadiene	2 standard deviations
Lindane	± 45%
Methoxychlor	± 45%
Oxamyl	2 standard deviations
PCBs (as Decachlorobiphenyl)	0-200%
Pentachlorophenol	± 50%
Picloram	2 standard deviations
Simazine	2 standard deviations
Toxaphene	± 45%
2,4-D	± 50%
2,3,7,8-TCDD (dioxin)	2 standard deviations
2,4,5-TP (Silvex)	± 50%

BOARD NOTE: Derived from 40 CFR 141.24(h) (1992 1993) 7-15-93
amended at 57-Ped-Reg-31042-6 July-17-1993.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 611.685 Analytical Methods

Sampling and analyses made pursuant to this Subpart must be conducted by one of the following methods, incorporated by reference in Section 611.102:

- The Analysis of Trihalomethanes in Drinking Waters by the Purge and Trap Method, U.S. EPA Organic Methods, Method 501.1.
- The Analysis of Trihalomethanes in Drinking Water by Liquid/Liquid Extraction, U.S. EPA Organic Methods, Method 501.2. Samples for TTHM must be dechlorinated upon collection to prevent further production of trihalomethanes, according to the procedures described in the above two methods. Samples for maximum TTHM potential must not be dechlorinated, and must be held for seven days at 25 degrees C (or above) prior to analysis, according to the procedures described in the above two methods.
- Volatile Organic Compounds in Water by Purge and Trap Capillary Gas Chromatography with Photoionization and Electrolytic Conductivity Detector in Series, U.S. EPA Organic Methods (July 1991 revision), Method 502.2.
- Volatile Organic Chemicals in Water by Purge and Trap Capillary Gas Chromatography/Mass Spectrometry, U.S. EPA Organic Methods (July 1991 revision), Method 524.2.

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failure exists.

c) Alternative methods of notice.

- 1) In lieu of the requirements of subsections (a) and (b), a CWS supplier in an area that is not served by a daily or weekly newspaper of general circulation shall give notice by hand delivery or by continuous posting in conspicuous places within the area served by the CWS. Notice by hand delivery or posting must begin as soon as possible, but no later than 72 hours after the violation or failure for acute violations (as defined in subsection (a)(3)) or 14 days after the violation or failure (for any other violation). Posting must continue for as long as the violation or failure exists. Notice by hand delivery must be repeated at least every three months for as long as the violation or failure exists.

- 2) In lieu of the requirements of subsections (a) and (b), a non-CWS supplier may give notice by hand delivery or by continuous posting in conspicuous places within the area served by the non-CWS. Notice by hand delivery or posting must begin as soon as possible, but no later than 72 hours after the violation or failure for acute violations (as defined in subsection (a)(3)), or 14 days after the violation or failure (for any other violation). Posting must continue for as long as the violation or failure exists. Notice by hand delivery must be repeated at least every three months for as long as the violation or failure exists.

- 3) Where allowed, pursuant to Section 611.609(d), 611.646(o)(3), 611.647(i), or 611.648(k)(3) because it has a separable system, a supplier may issue public notice only to persons on that portion of its system that its out of compliance.

BOARD NOTE: Generally derived ~~Derived~~ from 40 CFR 141.32(a) (1991 1993). Subsection (c)(3) derived from 40 CFR 141.23(i)(4) & 141.24(f)(15)(iii), (g)(9) & (h)(11)(iii) (1993).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 611.856 Fluoride Notice

Notice of violations of the MCL for fluoride, notices of variances and adjusted standards from the MCL for fluoride and notices of failure to comply with variance and adjusted standard schedules for the MCL for fluoride must consist of the public notice prescribed in Appendix A plus a description of any steps which the supplier is taking to come into compliance.

BOARD NOTE: Derived from 40 CFR 141.32(f) and (g) (1999 1993).

Section 611.APPENDIX A Mandatory Health Effects Information

- 1) Trichloroethylene. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has

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determined that trichloroethylene is a health concern at certain levels of exposure. This chemical is a common metal cleaning and dry cleaning fluid. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA U.S. EPA has set forth the enforceable drinking water standard for trichloroethylene at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

- 2) Carbon tetrachloride. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that carbon tetrachloride is a health concern at certain levels of exposure. This chemical was once a popular household cleaning fluid. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA U.S. EPA has set the enforceable drinking water standard for carbon tetrachloride at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

- 3) 1,2-Dichloroethane. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that 1,2-dichloroethane is a health concern at certain levels of exposure. This chemical is used as a cleaning fluid for fats, oils, waxes and resins. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals may also increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA U.S. EPA has set the enforceable drinking water standard for 1,2-dichloroethane at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

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- 4) Vinyl chloride. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that vinyl chloride is a health concern at certain levels of exposure. This chemical is used in industry and is found in drinking water as a result of the breakdown of related solvents. The solvents are used as cleaners and degreasers of metals and generally get into drinking water by improper waste disposal. This chemical has been associated with significantly increased risks of cancer among certain industrial workers who were exposed to relatively large amounts of this chemical during their working careers. This chemical has also been shown to cause cancer in laboratory animals when the animals are exposed at high levels over their lifetimes. Chemicals that cause increased risk of cancer among exposed industrial workers and in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA U.S. EPA has set the enforceable drinking water standard for vinyl chloride at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.
- 5) Benzene. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that benzene is a health concern at certain levels of exposure. This chemical is used as a solvent and degreaser of metals. It is also a major component of gasoline. Drinking water contamination generally results from leaking underground gasoline and petroleum tanks or improper waste disposal. This chemical has been associated with significantly increased risks of leukemia among certain industrial workers who were exposed to relatively large amounts of this chemical during their working careers. ~~this chemical has also been shown to~~ This chemical has been shown to cause cancer in laboratory animals when the animals are exposed at high levels over their lifetimes. Chemicals that cause increased risk of cancer among exposed industrial workers and in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA U.S. EPA has set the drinking water standard for benzene at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in humans and laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.
- 6) 1,1-Dichloroethylene. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that 1,1-dichloroethylene is a health concern at certain levels of exposure. This chemical is used in industry and is found in drinking water as a result of the breakdown of

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- related solvents. The solvents are used as cleaners and degreasers of metals and generally get into drinking water by improper waste disposal. This chemical has been shown to cause liver and kidney damage in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause adverse effects in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for 1,1-dichloroethylene at 0.007 parts per million (ppm) to reduce the risk of these adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.
- 7) Para-dichlorobenzene. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that para-dichlorobenzene is a health concern at certain levels of exposure. This chemical is a component of deodorizers, moth balls and pesticides. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause liver and kidney damage in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals which cause adverse effects in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. USEPA U.S. EPA has set the enforceable drinking water standard at 0.075 parts per million (ppm) to reduce the risk of these adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.
- 8) 1,1,1-Trichloroethane. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that 1,1,1-trichloroethane is a health concern at certain levels of exposure. This chemical is used as a cleaner and degreaser of metals. It generally gets into drinking water by improper waste disposal. This chemical has been shown to damage the liver, nervous system and circulatory system of laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during their working careers also suffered damage to the liver, nervous system and circulatory system. Chemicals which cause adverse effects among exposed industrial workers and in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. USEPA U.S. EPA has set the enforceable drinking water standard for 1,1,1-trichloroethane at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects which have been observed in laboratory animals. Drinking water which

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meets this standard is associated with little to none of this risk and should be considered safe.

- 9) Fluoride. The U.S. Environmental Protection Agency requires that we send you this notice on the level of fluoride in your drinking water. The drinking water in your community has a fluoride concentration of milligrams per liter (mg/L).

Federal regulations require that fluoride, which occurs naturally in your water supply, not exceed a concentration of 4.0 mg/L in drinking water. This is an enforceable standard called a Maximum Contaminant Level (MCL), and it has been established to protect the public health. Exposure to drinking water levels above 4.0 mg/L for many years may result in some cases of crippling skeletal fluorosis, which is a serious bone disorder.

Federal law also requires that we notify you when monitoring indicates that the fluoride in your drinking water exceeds 2.0 mg/L. This is intended to alert families about dental problems that might affect children under nine years of age. The fluoride concentration of your water exceeds this federal guideline.

Fluoride in children's drinking water at levels of approximately 1 mg/L reduces the number of dental cavities. However, some children exposed to levels of fluoride greater than about 2.0 mg/L may develop dental fluorosis. Dental fluorosis, in its moderate and severe forms, is a brown staining and/or pitting of the permanent teeth.

Because dental fluorosis occurs only when developing teeth (before they erupt from the gums) are exposed to elevated fluoride levels, households without children are not expected to be affected by this level of fluoride. Families with children under the age of nine are encouraged to seek other sources of drinking water for their children to avoid the possibility of staining and pitting.

Your water supplier can lower the concentration of fluoride in your water so that you will still receive the benefits of cavity prevention while the possibility of stained and pitted teeth is minimized. Removal of fluoride may increase your water costs. Treatment systems are also commercially available for home use. Information on such systems is available at the address given below. Low fluoride bottled drinking water that would meet all standards is also commercially available.

For further information, contact _____ at your water system.

BOARD NOTE: Derived from 40 CFR 141.32(e)(9) and 143.5 (1992).

- 10) Microbiological contaminants (For use when there is a violation of the treatment technique requirements for filtration and disinfection in Subpart B of this Part). The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that the presence of microbiological contaminants are a health concern at certain levels of exposure. If water is inadequately treated, microbiological contaminants in that water may cause disease.

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Disease symptoms may include diarrhea, cramps, nausea and possibly jaundice and any associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. USEPA U.S. EPA has set enforceable requirements for treating drinking water to reduce the risk of these adverse health effects. Treatment such as filtering and disinfecting the water removes or destroys microbiological contaminants. Drinking water which is treated to meet USEPA U.S. EPA requirements is associated with little to none of this risk and should be considered safe.

- 11) Total coliforms. (To be used when there is a violation of Section 611.325(a) and not a violation of Section 611.325(b)). The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that the presence of total coliforms is a possible health concern. Total coliforms are common in the environment and are generally not harmful themselves. The presence of these bacteria in drinking water, however, generally is a result of a problem with water treatment or the pipes which distribute the water and indicates that the water may be contaminated with organisms that can cause disease. Disease symptoms may include diarrhea, cramps, nausea and possibly jaundice, and any associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. USEPA U.S. EPA has set an enforceable drinking water standard for total coliforms to reduce the risk of these adverse health effects. Under this standard, no more than 5.0 percent of the samples collected during a month can contain these bacteria, except that systems collecting fewer than 40 samples/month that have one total coliform-positive sample per month are not violating the standard. Drinking water which meets this standard is usually not associated with a health risk from disease-causing bacteria and should be considered safe.

- 12) Fecal Coliforms/E. coli. (To be used when there is a violation of Section 611.325(b) or both Section 611.325(a) and (b)). The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that the presence of fecal coliforms or E. coli is a serious health concern. Fecal coliforms and E. coli are generally not harmful themselves, but their presence in drinking water is serious because they usually are associated with sewage or animal wastes. The presence of these bacteria in drinking water is generally a result of a problem with water treatment or the pipes which distribute the water and indicates that the water may be contaminated with organisms that can cause disease. Disease symptoms may include diarrhea, cramps, nausea and possibly

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jaundice, and associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. USEPA U.S. EPA has set an enforceable drinking water standard for fecal coliforms and *E. coli* to reduce the risk of these adverse health effects. Under this standard all drinking water samples must be free of these bacteria. Drinking water which meets this standard is associated with little or none of this risk and should be considered safe. State and local health authorities recommend that consumers take the following precautions: (To be inserted by the public water system, according to instruction from State or local authorities).

- 13) Lead. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that lead is a health concern at certain exposure levels. Materials that contain lead have frequently been used in the construction of water supply distribution systems, and plumbing systems in private homes and other buildings. The most commonly found materials include service lines, pipes, brass and bronze fixtures, and solder and fluxes. Lead in these materials can contaminate drinking water as a result of the corrosion that takes place when water comes into contact with those materials. Lead can cause a variety of adverse health effects in humans. At relatively low levels of exposure, these effects may include interference with red blood cell chemistry, delays in normal physical and mental development in babies and young children, slight deficits in the attention span, hearing, and learning abilities of children, and slight increases in blood pressure of some adults. USEPA U.S. EPA's national primary drinking water regulation requires all public water systems to optimize corrosion control to minimize lead contamination resulting from the corrosion of plumbing materials. Public water systems serving 50,000 people or fewer that have lead concentrations below 15 parts per billion (ppb) in more than 90% of tap water samples (the USEPA U.S. EPA "action level") have optimized their corrosion control treatment. Any water system that exceeds the action level must also monitor their source water to determine whether treatment to remove lead in source water is needed. Any water system that continues to exceed the action level after installation of corrosion control and/or source water treatment must eventually replace all lead service lines contributing in excess of 15 ppb of lead to drinking water. Any water system that exceeds the action level must also undertake a public education program to inform consumers of ways they can reduce their exposure to potentially high levels of lead in drinking water.

- 14) Copper. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that

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copper is a health concern at certain exposure levels. Copper, a reddish-brown metal, is often used to plumb residential and commercial structures that are connected to water distribution systems. Copper contaminating drinking water as a corrosion by-product occurs as the result of the corrosion of copper pipes that remain in contact with water for a prolonged period of time. Copper is an essential nutrient, but at high doses it has been shown to cause stomach and intestinal distress, liver and kidney damage, and anemia. Persons with Wilson's disease may be at a higher risk of health effects due to copper than the general public. USEPA U.S. EPA's national primary drinking water regulation requires all public water systems to install optimal corrosion control to minimize copper contamination resulting from the corrosion of plumbing materials. Public water systems serving 50,000 people or fewer that have copper concentrations below 1.3 parts per million (ppm) in more than 90% of tap water samples (the USEPA U.S. EPA "action level") are not required to install or improve their treatment. Any water system that exceeds the action level must also monitor their source water to determine whether treatment to remove copper in source water is needed.

- 15) Asbestos. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that asbestos fibers greater than 10 micrometers in length are a health concern at certain levels of exposure. Asbestos is a naturally occurring mineral. Most asbestos fibers in drinking water are less than 10 micrometers in length and occur in drinking water from natural sources and from corroded asbestos-cement pipes in the distribution system. The major uses of asbestos were in the production of cements, floor tiles, paper products, paint, and caulking, in transportation-related applications; and in the production of textiles and plastics. Asbestos was once a popular insulating and fire retardant material. Inhalation studies have shown that various forms of asbestos have produced lung tumors in laboratory animals. The available information on the risk of developing gastrointestinal tract cancer associated with the ingestion of asbestos from drinking water is limited. Ingestion of intermediate-range chrysotile asbestos fibers greater than 10 micrometers in length is associated with causing benign tumors in male rats. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standard for asbestos at 7 million long fibers per liter to reduce the potential risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets the USEPA U.S. EPA standard is associated with little to none of this risk and should be considered safe with respect to asbestos.

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16) Barium. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that barium is a health concern at certain levels of exposure. This inorganic chemical occurs naturally in some aquifers that serve as sources of ground-water. It is also used in oil and gas drilling muds, automotive paints, bricks, tiles, and jet fuels. It generally gets into drinking water after dissolving from naturally occurring minerals in the ground. This chemical may damage the heart and vascular system, and is associated with high blood pressure in laboratory animals such as rats exposed to high levels during their lifetimes. In humans, USEPA U.S. EPA believes that affects from barium on blood pressure should not occur below 2 parts per million (ppm) in drinking water. USEPA U.S. EPA has set the drinking water standard for barium at 2 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to barium.

17) Cadmium. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that cadmium is a health concern at certain levels of exposure. Food and the smoking of tobacco are common sources of general exposure. This inorganic metal is a contaminant in the metals used to galvanize pipe. It generally gets into water by corrosion of galvanized pipes or by improper waste disposal. This chemical has been shown to damage the kidney in animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the kidney. USEPA U.S. EPA has set the drinking water standard for cadmium at 0.005 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to cadmium.

18) Chromium. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that chromium is a health concern at certain levels of exposure. This inorganic metal occurs naturally in the ground and is often used in the electroplating of metals. It generally gets into water from runoff from old mining operations and improper waste disposal from plating operations. This chemical has been shown to damage the kidney, nervous system, and the circulatory system of laboratory animals such as rats and mice when the animals are exposed at high levels. Some humans who were exposed to high levels of this chemical suffered liver and kidney damage, dermatitis and respiratory problems. USEPA U.S. EPA has set the drinking water standard for chromium at 0.1 parts per million (ppm) to protect against the risk of these adverse health

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effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to chromium.

19) Mercury. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that mercury is a health concern at certain levels of exposure. This inorganic metal is used in electrical equipment and some water pumps. It usually gets into water as a result of improper waste disposal. This chemical has been shown to damage the kidney of laboratory animals such as rats when the animals are exposed at high levels over their lifetimes. USEPA U.S. EPA has set the drinking water standard for mercury at 0.002 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to mercury.

20) Nitrate. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that nitrate poses an acute health concern at certain levels of exposure. Nitrate is used in fertilizer and is found in sewage and wastes from human and/or farm animals and generally gets into drinking water from those activities. Excessive levels of nitrate in drinking water have caused serious illness and sometimes death in infants under six months of age. The serious illness in infants is caused because nitrate is converted to nitrite in the body. Nitrite interferes with the oxygen carrying capacity of the child's blood. This is an acute disease in that symptoms can develop rapidly in infants. In most cases, health deteriorates over a period of days. Symptoms include shortness of breath and blueness of the skin. Clearly, expert medical advice should be sought immediately if these symptoms occur. The purpose of this notice is to encourage parents and other responsible parties to provide infants with an alternate source of drinking water. Local and State health authorities are the best source for information concerning alternate sources of drinking water for infants. USEPA U.S. EPA has set the drinking water standard at 10 parts per million (ppm) for nitrate to protect against the risk of these adverse effects. USEPA U.S. EPA has also set a drinking water standard for nitrite at 1 ppm. To allow for the fact that the toxicity of nitrate and nitrite are additive, USEPA U.S. EPA has also established a standard for the sum of nitrate and nitrite at 10 ppm. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to nitrate.

21) Nitrite. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that nitrite poses an acute health concern at certain levels of exposure. This inorganic chemical is used in fertilizers and is found in sewage and wastes from humans and/or farm animals and

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generally gets into drinking water as a result of those activities. While excessive levels of nitrite in drinking water have not been observed, other sources of nitrite have caused serious illness and sometimes death in infants under six months of age. The serious illness in infants is caused because nitrite interferes with the oxygen carrying capacity of the child's blood. This is an acute disease in that symptoms can develop rapidly. However, in most cases, health deteriorates over a period of days. Symptoms include shortness of breath and blueness of the skin. Clearly, expert medical advice should be sought immediately if these symptoms occur. The purpose of this notice is to encourage parents and other responsible parties to provide infants with an alternate source of drinking water. Local and State health authorities are the best source for information concerning alternate sources of drinking water for infants. USEPA U.S. EPA has set the drinking water standard at 1 part per million (ppm) for nitrite to protect against the risk of these adverse effects. USEPA U.S. EPA has also set a drinking water standard for nitrate (converted to nitrite in humans) at 10 ppm and for the sum of nitrate and nitrite at 10 ppm. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to nitrite.

22) Selenium. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that selenium is a health concern at certain high levels of exposure. Selenium is also an essential nutrient at low levels of exposure. This inorganic chemical is found naturally in food and soils and is used in electronics, photocopy operations, the manufacture of glass, chemicals, drugs, and as a fungicide and a feed additive. In humans, exposure to high levels of selenium over a long period of time has resulted in a number of adverse health effects, including a loss of feeling and control in the arms and legs. USEPA U.S. EPA has set the drinking water standard for selenium at 0.05 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to selenium.

23) Acrylamide. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that acrylamide is a health concern at certain levels of exposure. Polymers made from acrylamide are sometimes used to treat water supplies to remove particulate contaminants. Acrylamide has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. Sufficiently large doses of

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acrylamide are known to cause neurological injury. USEPA U.S. EPA has set the drinking water standard for acrylamide using a treatment technique to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. This treatment technique limits the amount of acrylamide in the polymer and the amount of the polymer which may be added to drinking water to remove particulates. Drinking water systems which comply with this treatment technique have little to no risk and are considered safe with respect to acrylamide.

24) Alachlor. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that alachlor is a health concern at certain levels of exposure. This organic chemical is a widely used pesticide. When soil and climatic conditions are favorable, alachlor may get into ground water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standard for alachlor at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to alachlor.

25) Aldicarb. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that aldicarb is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Under certain soil and climatic conditions (e.g., sandy soil and high rainfall), aldicarb may leach into groundwater after normal agricultural applications to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. USEPA U.S. EPA has set the drinking water standard for aldicarb at 0.003 parts per million (ppm) to reduce the risk of adverse health effects. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to aldicarb.

26) Aldicarb sulfoxide. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that aldicarb sulfoxide is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Aldicarb sulfoxide in groundwater is primarily a breakdown product of aldicarb. Under certain soil and climatic conditions (e.g., sandy soil and high rainfall), aldicarb sulfoxide may leach into groundwater after normal agricultural applications to

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crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. USEPA U.S. EPA has set the drinking water standard for aldicarb sulfone at 0.004 parts per million (ppm) to reduce the risk of adverse health effects. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to aldicarb sulfone.

27) Aldicarb sulfone. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that aldicarb sulfone is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Aldicarb sulfone in groundwater is primarily a breakdown product of aldicarb. Under certain soil and climatic conditions (e.g., sandy soil and high rainfall), aldicarb sulfone may leach into groundwater after normal agricultural applications to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. USEPA U.S. EPA has set the drinking water standard for aldicarb sulfone at 0.002 parts per million (ppm) to reduce the risk of adverse health effects. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to aldicarb sulfone.

28) Atrazine. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that atrazine is a health concern at certain levels of exposure. This organic chemical is a herbicide. When soil and climatic conditions are favorable, atrazine may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to affect offspring of rats and the heart of dogs. USEPA U.S. EPA has set the drinking water standard for atrazine at 0.003 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to atrazine.

29) Carbofuran. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that carbofuran is a health concern at certain levels of exposure. This organic chemical is a pesticide. When soil and climatic conditions are favorable, carbofuran may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the nervous and reproductive systems of laboratory animals such as rats and mice exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical during their working careers also suffered damage to the nervous

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system. Effects on the nervous system are generally rapidly reversible. USEPA U.S. EPA has set the drinking water standard for carbofuran at 0.04 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to carbofuran.

30) Chlordane. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that chlordane is a health concern at certain levels of exposure. This organic chemical is a pesticide used to control termites. Chlordane is not very mobile in soils. It usually gets into drinking water after application near water supply intakes or wells. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standard for chlordane at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to chlordane.

31) Dibromochloropropane (DBCP). The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that DBCP is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, DBCP may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standard for DBCP at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to DBCP.

32) o-Dichlorobenzene. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that o-dichlorobenzene is a health concern at certain levels of exposure. This organic chemical is used as a solvent in the production of pesticides and dyes. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and the blood cells of laboratory animals such as rats and mice exposed to high levels during

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their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the liver, nervous system, and circulatory system. USEPA U.S. EPA has set the drinking water standard for o-dichlorobenzene at 0.6 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to o-dichlorobenzene.

33) cis-1,2-dichloroethylene. The United States Environmental Protection Agency (USEPA U.S. EPA) establishes drinking water standards and has determined that cis-1,2-dichloroethylene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and intermediate in chemical production. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, nervous system, and circulatory system of laboratory animals such as rats and mice when exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amount of this chemical also suffered damage to the nervous system. USEPA U.S. EPA has set the drinking water standard for cis-1,2-dichloroethylene at 0.07 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to cis-1,2-dichloroethylene.

34) trans-1,2-dichloroethylene. The United States Environmental Protection Agency (USEPA U.S. EPA) establishes drinking water standards and has determined that trans-1,2-dichloroethylene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and intermediate in chemical production. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, nervous system, and the circulatory system of laboratory animals such as rats and mice when exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA U.S. EPA has set the drinking water standard for trans-1,2-dichloroethylene at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to trans-1,2-dichloroethylene.

35) 1,2-dichloropropane. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that 1,2-dichloropropane is a health concern at certain levels of exposure. This organic chemical is used as a solvent and pesticide. When soil and climatic conditions are favorable, 1,2-dichloropropane may get into drinking water by

runoff into surface water or by leaching into ground water. It may also get into drinking water through improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standard for 1,2-dichloropropane at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to 1,2-dichloropropane.

36) 2,4-D. This contaminant is subject to a "additional State requirement". The supplier shall give the following notice if the level exceeds the Section 611.311 MCL. If the level exceeds the Section 611.310 MCL, but not that of Section 611.311, the supplier shall give a general notice under Section 611.854. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that 2,4-D is a health concern at certain levels of exposure. This organic chemical is used as a herbicide and to control algae in reservoirs. When soil and climatic conditions are favorable, 2,4-D may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver and kidney of laboratory animals such as rats exposed at high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA U.S. EPA has set the drinking water standard for 2,4-D at 0.07 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to 2,4-D.

37) Epichlorohydrin. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that epichlorohydrin is a health concern at certain levels of exposure. Polymers made from epichlorohydrin are sometimes used in the treatment of water supplies as a flocculent to remove particulates. Epichlorohydrin generally gets into drinking water by improper use of these polymers. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standard for epichlorohydrin using a treatment technique to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. This treatment

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technique limits the amount of epichlorohydrin in the polymer and the amount of the polymer which may be added to drinking water as a flocculent to remove particulates. Drinking water systems which comply with this treatment technique have little to no risk and are considered safe with respect to epichlorohydrin.

- 38) Ethylbenzene. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined ethylbenzene is a health concern at certain levels of exposure. This organic chemical is a major component of gasoline. It generally gets into water by improper waste disposal or leaking gasoline tanks. This chemical has been shown to damage the kidney, liver, and nervous system of laboratory animals such as rats exposed to high levels during their lifetimes. USEPA U.S. EPA has set the drinking water standard for ethylbenzene at 0.7 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to ethylbenzene.

- 39) Ethylene dibromide (EDB). The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that EDB is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, EDB may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standard for EDB at 0.00005 parts per million (ppm) to reduce the risk of cancer of other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to EDB.

- 40) Heptachlor. This contaminant is subject to a "additional State requirement". The supplier shall give the following notice if the level exceeds the Section 611.311 MCL. If the level exceeds the Section 611.310 MCL, but not that of Section 611.311, the supplier shall give a general notice under Section 611.854. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that heptachlor is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, heptachlor may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that

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cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standards for heptachlor at 0.0004 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to heptachlor.

- 41) Heptachlor epoxide. This contaminant is subject to a "additional State requirement". The supplier shall give the following notice if the level exceeds the Section 611.311 MCL. If the level exceeds the Section 611.310 MCL, but not that of Section 611.311, the supplier shall give a general notice under Section 611.854. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that heptachlor epoxide is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, heptachlor epoxide may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standards for heptachlor epoxide at 0.0002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to heptachlor epoxide.

- 42) Lindane. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that lindane is a health concern at certain levels of exposure. This organic chemical is used as a pesticide. When soil and climatic conditions are favorable, lindane may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver, kidney, nervous system, and immune system of laboratory animals such as rats, mice and dogs exposed at high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system and circulatory system. USEPA U.S. EPA has established the drinking water standard for lindane at 0.0002 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to lindane.

- 43) Methoxychlor. The United States Environmental Protection Agency

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(USEPA U.S. EPA) sets drinking water standards and has determined that methoxychlor is a health concern at certain levels of exposure. This organic chemical is used as a pesticide. When soil and climatic conditions are favorable, methoxychlor may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver, kidney, nervous system, and reproductive system of laboratory animals such as rats exposed at high levels during their lifetimes. It has also been shown to produce growth retardation in rats. USEPA U.S. EPA has set the drinking water standard for methoxychlor at 0.04 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to methoxychlor.

44) Monochlorobenzene. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that monochlorobenzene is a health concern at certain levels of exposure. This organic chemical is used as a solvent. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and nervous system of laboratory animals such as rats and mice exposed to high levels during their lifetimes. USEPA U.S. EPA has set the drinking water standard for monochlorobenzene at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to monochlorobenzene.

45) Polychlorinated biphenyls (PCBs). The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that polychlorinated biphenyls (PCBs) are a health concern at certain levels of exposure. These organic chemicals were once widely used in electrical transformers and other industrial equipment. They generally get into drinking water by improper waste disposal or leaking from electrical industrial equipment. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standard for PCBs at 0.0005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to PCBs.

46) Pentachlorophenol. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that pentachlorophenol is a health concern at certain

levels of exposure. This organic chemical is widely used as a wood preservative, herbicide, disinfectant, and defoliant. It generally gets into drinking water by runoff into surface water or leaching into groundwater. This chemical has been shown to produce adverse reproductive effects and to damage the liver and kidneys of laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the liver and kidneys. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standard for pentachlorophenol at 0.001 parts per million (ppm) to reduce the risk of adverse health effects. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to pentachlorophenol.

47) Styrene. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that styrene is a health concern at certain levels of exposure. This organic chemical is commonly used to make plastics and is sometimes a component of resins used for drinking water treatment. Styrene may get into drinking water from improper waste disposal. This chemical has been shown to damage the liver and nervous system in laboratory animals when exposed at high levels during their lifetimes. USEPA U.S. EPA has set the drinking water standard for styrene at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to styrene.

48) Tetrachloroethylene. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that tetrachloroethylene is a health concern at certain levels of exposure. This organic chemical has been a popular solvent, particularly for dry cleaning. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standard for tetrachloroethylene at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to

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tetrachloroethylene.

49) Toluene. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that toluene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and in the manufacture of gasoline for airplanes. It generally gets into water by improper waste disposal or leaking underground storage tanks. This chemical has been shown to damage the kidney, nervous system, and circulatory system of laboratory animals such as rats and mice exposed to high levels during their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the liver, kidney and nervous system. USEPA U.S. EPA has set the drinking water standard for toluene at 1 part per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to toluene.

50) Toxaphene. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that toxaphene is a health concern at certain levels of exposure. This organic chemical was once a pesticide widely used on cotton, corn, soybeans, pineapples and other crops. When soil and climatic conditions are favorable, toxaphene may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that caused cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standard for toxaphene at 0.003 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to toxaphene.

51) 2,4,5-TP. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that 2,4,5-TP is a health concern at certain levels of exposure. This organic chemical is used as a herbicide. When soil and climatic conditions are favorable, 2,4,5-TP may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver and kidney of laboratory animals such as rats and dogs exposed to high levels during their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the nervous system. USEPA U.S. EPA has set the drinking water standard for 2,4,5-TP at 0.05 parts per million (ppm) to protect against the risk of

these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to 2,4,5-TP.

52) Xylenes. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that xylene is a health concern at certain levels of exposure. This organic chemical is used in the manufacture of gasoline for airplanes and as a solvent for pesticides, and as a cleaner and degreaser of metals. It usually gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and nervous system of laboratory animals such as rats and dogs exposed to high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA U.S. EPA has set the drinking water standard for xylene at 10 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to xylene.

53) Antimony. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that antimony is a health concern at certain levels of exposure. This inorganic chemical occurs naturally in soils, ground water, and surface water and is often used in the flame retardant industry. It is also used in ceramics and glass, batteries, fireworks, and explosives. It may get into drinking water through natural weathering of rock, industrial production, municipal waste disposal, or manufacturing processes. This chemical has been shown to decrease longevity, and altered blood levels of cholesterol and glucose in laboratory animals such as rats exposed to high levels during their lifetimes. USEPA U.S. EPA has set the drinking water standard for antimony at 0.006 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to antimony.

54) Beryllium. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that beryllium is a health concern at certain levels of exposure. This inorganic chemical occurs naturally in soils, ground water, and surface water and is often used in electrical equipment and electrical components. It generally gets into water from runoff from mining operations, discharge from processing plants, and improper waste disposal. Beryllium compounds have been associated with damage to the bones and lungs and induction of cancer in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. There is limited evidence to suggest that beryllium may pose a cancer risk via drinking water exposure. Therefore, USEPA U.S. EPA

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based the health assessment on noncancer effects with the extra uncertainty factor to account for possible carcinogenicity. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standard for beryllium at 0.004 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to beryllium.

- 56) Cyanide. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that cyanide is a health concern at certain levels of exposure. This inorganic chemical is used in electroplating, steel processing, plastics, synthetic fabrics, and fertilizer products. It usually gets into water as a result of improper waste disposal. This chemical has been shown to damage the spleen, brain, and liver of humans fatally poisoned with cyanide. USEPA U.S. EPA has set the drinking water standard for cyanide at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to cyanide.

- 55) Nickel. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that nickel is a health concern at certain levels of exposure. This inorganic chemical occurs naturally in soils, ground water, and surface water and is often used in electroplating, stainless steel, and alloy products. It generally gets into water from mining and refining operations. This chemical has been shown to damage the heart and liver in laboratory animals when the animals are exposed to high levels over their lifetimes. USEPA U.S. EPA has set the drinking water standard at 0.1 parts per million (ppm) for nickel to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to nickel.

- 57) Thallium. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that thallium is a health concern at certain high levels of exposure. This inorganic chemical occurs naturally in soils, ground water, and surface water and is used in electronics, pharmaceuticals, and the manufacture of glass and alloys. This chemical has been shown to damage the kidney, liver, brain, and intestines of laboratory animals when the animals are exposed to high levels during their lifetimes. USEPA U.S. EPA has set the drinking water standard for thallium at 0.002 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard

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is associated with little to none of this risk and is considered safe with respect to thallium.

- 58) Benzo(a)pyrene. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that benzo(a)pyrene is a health concern at certain levels of exposure. Cigarette smoke and charbroiled meats are common sources of general exposure. The major source of benzo(a)pyrene in drinking water is the leaching from coal tar lining and sealants in water storage tanks. This chemical has been shown to cause cancer in animals such as rats and mice when the animals are exposed to high levels. USEPA U.S. EPA has set the drinking water standard for benzo(a)pyrene at 0.0002 parts per million (ppm) to protect against the risk of cancer. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to benzo(a)pyrene.

- 59) Dalapon. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that dalapon is a health concern at certain levels of exposure. This organic chemical is a widely used herbicide. It may get into drinking water after application to control grasses in crops, drainage ditches, and along railroads. This chemical has been associated with damage to the kidney and liver in laboratory animals when the animals are exposed to high levels during their lifetimes. USEPA U.S. EPA has set the drinking water standard for dalapon at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to dalapon.

- 60) Dichloromethane. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that dichloromethane (methylene chloride) is a health concern at certain levels of exposure. This organic chemical is a widely used solvent. It is used in the manufacture of paint remover, as a metal degreaser, and as an aerosol propellant. It generally gets into water after improper discharge of waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standard for dichloromethane at 0.005 parts per million (ppm) to protect against the risk of cancer or other adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to dichloromethane.

- 61) Di(2-ethylhexyl)adipate. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards

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and has determined that di(2-ethylhexyl)adipate is a health concern at certain levels of exposure. Di(2-ethylhexyl)adipate is a widely used plasticizer in a variety of products, including synthetic rubber, food packaging material, and cosmetics. It may get into drinking water after improper waste disposal. This chemical has been shown to damage the liver and tests in laboratory animals such as rats and mice when the animals are exposed to high levels. USEPA U.S. EPA has set the drinking water standard for di(2-ethylhexyl)adipate at 0.4 parts per million (ppm) to protect against the risk of adverse health effects that have been observed in laboratory animals. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to di(2-ethylhexyl)adipate.

62) Di(2-ethylhexyl)phthalate. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that di(2-ethylhexyl)phthalate is a health concern at certain levels of exposure. Di(2-ethylhexyl)phthalate is a widely used plasticizer, which is primarily used in the production of polyvinyl chloride (PVC) resins. It may get into drinking water after improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. USEPA U.S. EPA has set the drinking water standard for di(2-ethylhexyl)phthalate at 0.004 parts per million (ppm) to protect against the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to di(2-ethylhexyl)phthalate.

63) Dinoseb. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that dinoseb is a health concern at certain levels of exposure. Dinoseb is a widely used pesticide and generally gets into water after application on orchards, vineyards, and other crops. This chemical has been shown to damage the thyroid and reproductive organs in laboratory animals such as rats exposed to high levels. USEPA U.S. EPA has set the drinking water standard for dinoseb at 0.007 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to dinoseb.

64) Diquat. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that diquat is a health concern at certain levels of exposure. This organic chemical is a herbicide used to control terrestrial and aquatic weeds. It may get into drinking water by runoff into surface water. This chemical has been shown to damage the liver, kidney, and gastrointestinal tract and causes cataract formation

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in laboratory animals such as dogs and rats exposed at high levels over their lifetimes. USEPA U.S. EPA has set the drinking water standard for diquat at 0.02 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to diquat.

65) Endothall. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that endothall is a health concern at certain levels of exposure. This organic chemical is a herbicide used to control terrestrial and aquatic weeds. It may get into drinking water by runoff into surface water. This chemical has been shown to damage the liver, kidney, gastrointestinal tract, and reproductive system of laboratory animals such as rats and mice exposed at high levels over their lifetimes. USEPA U.S. EPA has set the drinking water standard for endothall at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to endothall.

66) Endrin. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that endrin is a health concern at certain levels of exposure. This organic chemical is a pesticide no longer registered for use in the United States. However, this pesticide is persistent in treated soils and accumulates in sediments and aquatic and terrestrial biota. This chemical has been shown to cause damage to the liver, kidney, and heart in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. USEPA U.S. EPA has set the drinking water standard for endrin at 0.002 parts per million (ppm) to protect against the risk of these adverse health effects that have been observed in laboratory animals. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to endrin.

67) Glyphosate. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that glyphosate is a health concern at certain levels of exposure. This organic chemical is a herbicide used to control grasses and weeds. It may get into drinking water by runoff into surface water. This chemical has been shown to cause damage to the liver and kidneys in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. USEPA U.S. EPA has set the drinking water standard for glyphosate at 0.7 parts per million (ppm) to protect against their risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to

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- glyphosate.
- 68) Hexachlorobenzene. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that hexachlorobenzene is a health concern at certain levels of exposure. This organic chemical is produced as an impurity in the manufacture of certain solvents and pesticides. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standard for hexachlorobenzene at 0.001 parts per million (ppm) to protect against the risk of cancer and other adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to hexachlorobenzene.
- 69) Hexachlorocyclopentadiene. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that hexachlorocyclopentadiene is a health concern at certain levels of exposure. This organic chemical is used as an intermediate in the manufacture of pesticides and flame retardants. It may get into water by discharge from production facilities. This chemical has been shown to damage the kidney and the stomach of laboratory animals when exposed to high levels during their lifetimes. USEPA U.S. EPA has set the drinking water standard for hexachlorocyclopentadiene at 0.05 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to hexachlorocyclopentadiene.
- 70) Oxamyl. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that oxamyl is a health concern at certain levels of exposure. This organic chemical is used as a pesticide for the control of insects and other pests. It may get into drinking water by runoff into surface water or leaching into ground water. This chemical has been shown to damage the kidneys of laboratory animals such as rats when exposed at high levels during their lifetimes. USEPA U.S. EPA has set the drinking water standard for oxamyl at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to oxamyl.
- 71) Picloram. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that picloram is a health concern at certain levels of exposure. This organic chemical is used as a pesticide for broadleaf weed control. It may get into drinking water by runoff into surface

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- water or leaching into groundwater as a result of pesticide application and improper waste disposal. This chemical has been shown to cause damage to the kidneys and liver in laboratory animals such as rats when the animals are exposed to high levels during their lifetimes. USEPA U.S. EPA has set the drinking water standard for picloram at 0.5 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to picloram.
- 72) Simazine. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that simazine is a health concern at certain levels of exposure. This organic chemical is a herbicide used to control annual grasses and broadleaf weeds. It may leach into groundwater or run off into surface water after application. This chemical may cause cancer in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standard for simazine at 0.004 parts per million (ppm) to reduce the risk of cancer or adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to simazine.
- 73) 1,2,4-Trichlorobenzene. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that 1,2,4-trichlorobenzene is a health concern at certain levels of exposure. This organic chemical is used as a dye carrier and as a precursor in herbicide manufacture. It generally gets into drinking water by discharge from industrial activities. This chemical has been shown to cause damage to several organs, including the adrenal glands. USEPA U.S. EPA has set the drinking water standard for 1,2,4-trichlorobenzene at 0.07 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to 1,2,4-trichlorobenzene.
- 74) 1,1,2-Trichloroethane. The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that 1,1,2-trichloroethane is a health concern at certain levels of exposure. This organic chemical is an intermediate in the production of 1,1-dichloroethylene. It generally gets into water by industrial discharge of wastes. This chemical has been shown to damage the kidney and liver of laboratory animals such as rats exposed to high levels during their lifetimes. USEPA U.S. EPA has set the drinking water

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standard for 1,1,2-trichloroethane at 0.005 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to 1,1,2-trichloroethane.

- 75) 2,3,7,8-TCDD (dioxin). The United States Environmental Protection Agency (USEPA U.S. EPA) sets drinking water standards and has determined that dioxin is a health concern at certain levels of exposure. This organic chemical is an impurity in the production of some pesticides. It may get into drinking water by industrial discharge of wastes. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA U.S. EPA has set the drinking water standard for dioxin at 0.0000003 parts per million (ppm) to protect against the risk of cancer or other adverse health effects. Drinking water that meets the USEPA U.S. EPA standard is associated with little to none of this risk and is considered safe with respect to dioxin.

BOARD NOTE: Derived from 40 CFR 141.32(e) (1993).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: PROCEDURAL REQUIREMENTS FOR ALL LANDFILLS EXEMPT FROM PERMITS
- 2) Code Citation: 35 Ill. Adm. Code 815
- 3) Section Numbers: Adopted Action:
815.202, 815.401 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021, 1021.1, 1022, 1022.17 and 1027 [415 ILCS 5/5, 5/21, 5/21.1, 5/22, 5/22.17, and 5/27].
- 5) Effective Date of Amendments: August 1, 1994
- 6) Does this rulemaking contain an automatic repeal date?: No.
- 7) Do these proposed amendments contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: July 21, 1994
- 9) Notice of proposal published in Illinois Register: October 15, 1993 at 17 Ill. Reg. 17649.
- 10) Has JCAR Issued a Statement of Objection to These Proposed Amendments: No
- 11) Differences between proposal and final revisions: Certain minor editorial or typographical corrections made at the request of JCAR or the Code Unit are not detailed here. The main source note has been updated.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? None issued.
- 13) Will these proposed amendments replace emergency amendments currently in effect? No.
- 14) Are there any other amendments pending on this Part? No.
- 15) Summary and Purpose of the Rule:

A more detailed description is contained in the Board's opinion and order of July 21, 1994 in R90-23, which opinion and order is available from the address below.

On August 17, 1990, in R88-7, the Board adopted extensive regulations at 35 Ill. Adm. Code 810 through 815 and amendments to the existing regulations at 35 Ill. Adm. Code 807 to govern the landfill disposal of non-hazardous waste. See 14 Ill. Reg. 15785 (Part 812), 15817 (Part 815), 15814 (Part 813), 15850 (Part 814), 15832 (Part 807), 15838 (Part 810),

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and 15861 (Part 811) (effective Sept. 18, 1990). As part of that extensive rulemaking proceeding, the Board provided at 35 Ill. Adm. Code 811.101(b) that the regulations would have a limited applicability to landfills that disposed exclusively of wastes generated by foundries and primary steel production facilities, provided those industries filed a rulemaking proposal relating specifically to those wastes prior to December 1, 1990. This was done in response to the participation of those industries in the R88-7 proceeding.

On December 12, 1990, the Board received a rulemaking proposal from the affected industries. After a February 4, 1991 response by Steel and Foundry to a December 20, 1993 request by the Board for more information, the Board adopted on February 7, 1991 a first First Notice opinion and order; this proposal was published in the Illinois Register on March 1, 1991. (See 17 Ill. Reg. 3166 (Part 811), and 3155 (Part 814), and 3173 (Part 817) (Mar. 1, 1991).) The Board conducted public hearings on May 19, June 7, and June 21, 1991. The industries filed their first amended proposal on May 13, 1991. After filing a pre-hearing discussion draft on June 24, 1992, the industries filed their second amended proposal on March 4, 1993, with further documentation filed on May 13, 1993 in response to a March 26, 1993 Board hearing officer's order.

The present proposed amendments are based on the second amended industry proposal. 35 Ill. Adm. Code 807 and 810 through 815, and newly-proposed 35 Ill. Adm. Code 817 are involved in this proceeding.

The present rulemaking would establish requirements for certain landfills accepting wastes from the foundry and primary steel industries for disposal. These requirements would apply in place of those that would otherwise apply.

- 16) Information and questions regarding this adopted amendment shall be directed to:
Requests for copies of the Board's July 21, 1994 Opinion should reference Docket R90-26 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Questions regarding these rules may be directed to Anand Rao (312) 814-3956 or Kathleen Crowley (312) 814-6929 at the address above.

The full text of the adopted amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER I: SOLID WASTE AND SPECIAL WASTE HAULING

PART 815

PROCEDURAL REQUIREMENTS FOR ALL LANDFILLS EXEMPT FROM PERMITS

SUBPART A: GENERAL REQUIREMENTS

Section	815.101	Scope and Applicability
	815.102	Required Signatures

SUBPART B: INITIAL FACILITY REPORT

Section	815.201	Scope and Applicability
	815.202	Filing Deadline
	815.203	Information to be Filed
	815.204	Required Signatures

SUBPART C: ANNUAL REPORTS

Section	815.301	Scope and Applicability
	815.302	Reporting Period
	815.303	Information to be Submitted

SUBPART D: QUARTERLY GROUNDWATER REPORTS

Section	815.401	Scope and Applicability
	815.402	Filing Schedule

SUBPART E: INFORMATION TO BE RETAINED ON-SITE

Section	815.501	Scope and Applicability
	815.502	Acceptance Reports
	815.503	Other Information

AUTHORITY: Implementing Sections 5, 21, 21.1, 22, 22.17, 28.1, and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021, 1021.1, 1022, 1022.17, 1028.1 and 1027) [415 ILCS 5/5, 21, 21.1, 22, 22.17, 28.1 and 27].

SOURCE: Adopted in R88-7 at 14 Ill. Reg. 15807, effective September 18, 1990; amended in R90-26 at 18 Ill. Reg. _____, effective _____.

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Section 815.202 Filing Deadline

- a) Existing Facilities
The initial facility report ~~shall be~~ was required to be filed with the Agency by September 18, 1992 ~~within two years of the effective date of this Part.~~
- b) Existing Steel and Foundry Landfills Regulated Pursuant to 35 Ill. Adm. Code 814.Subparts F, G, H and I
An amended initial facility report shall be filed within one year after August 1, 1994.
- c) New Facilities
The initial facility report shall be filed with the Agency before any waste is accepted.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

SUBPART D: QUARTERLY GROUNDWATER REPORTS

Section 815.401 Scope and Applicability

All landfills regulated under this Part shall file all groundwater monitoring data with the Agency in accordance with the filing schedule of this Subpart, and file modifications, since the last quarterly report, to any list of background concentrations prepared in accordance with 35 Ill. Adm. Code 811.320(d)(1) or 817.416(d)(1), as applicable.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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1) Heading of the Part: PROCEDURAL REQUIREMENTS FOR PERMITTED LANDFILLS

2) Code Citation: 35 Ill. Adm. Code 813

3) Section Numbers: Adopted Action:
813.101 Amendment

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021, 1021.1, 1022, 1022.17 and 1027 (415 ILCS 5/5, 5/21, 5/21.1, 5/22, 5/22.17, and 5/27).

5) Effective Date of Amendments: August 1, 1994

6) Does this rulemaking contain an automatic repeal date? No.

7) Do these proposed amendments contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: July 21, 1994

9) Notice of proposal published in Illinois Register: October 15, 1993 at 17 Ill. Reg. 17654.

10) Has JCAR Issued a Statement of Objection to These Proposed Amendments: No

11) Differences between proposal and final revisions: Certain minor editorial or typographical corrections made at the request of JCAR or the Code Unit are not detailed here.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? None issued.

13) Will these proposed amendments replace emergency amendments currently in effect? No.

14) Are there any other amendments pending on this Part? No.

15) Summary and Purpose of the Rule:

A more detailed description is contained in the Board's opinion and order of July 21, 1994 in R90-23, which opinion and order is available from the address below.

On August 17, 1990, in R88-7, the Board adopted extensive regulations at 35 Ill. Adm. Code 810 through 815 and amendments to the existing regulations at 35 Ill. Adm. Code 807 to govern the landfill disposal of non-hazardous waste. See 14 Ill. Reg. 15785 (Part 812), 15817 (Part 815), 15814 (Part 813), 15850 (Part 814), 15832 (Part 807), 15838 (Part 810),

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and 15861 (Part 811) (effective Sept. 18, 1990). As Part of that extensive rulemaking proceeding, the Board provided at 35 Ill. Adm. Code 811.101(b) that the regulations would have a limited applicability to landfills that disposed exclusively of wastes generated by foundries and primary steel production facilities, provided those industries filed a rulemaking proposal relating specifically to those wastes prior to December 1, 1990. This was done in response to the participation of those industries in the R88-7 proceeding.

On December 12, 1990, the Board received a rulemaking proposal from the affected industries. After a February 4, 1991 response by Steel and Foundry to a December 20, 1993 request by the Board for more information, the Board adopted on February 7, 1991 a first Notice opinion and order; this proposal was published in the Illinois Register on March 1, 1991. (See 17 Ill. Reg. 3166 (Part 811), and 3155 (Part 814), and 3173 (Part 817) (Mar. 1, 1991).) The Board conducted public hearings on May 19, June 7, and June 21, 1991. The industries filed their first amended proposal on May 13, 1991. After filing a pre-hearing discussion draft on June 24, 1992, the industries filed their second amended proposal on March 4, 1993, with further documentation filed on May 13, 1993 in response to a March 26, 1993 Board hearing officer's order.

The present proposed amendments are based on the second amended industry proposal. 35 Ill. Adm. Code 807 and 810 through 815, and newly-proposed 35 Ill. Adm. Code 817 are involved in this proceeding.

The present rulemaking would establish requirements for certain landfills accepting wastes from the foundry and primary steel industries for disposal. These requirements would apply in place of those that would otherwise apply.

- 16) Information and questions regarding this adopted amendment shall be directed to:
Requests for copies of the Board's July 21, 1994 Opinion should reference Docket R90-26 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Questions regarding these rules may be directed to Anand Rao (312) 814-3956 or Kathleen Crowley (312) 814-6929 at the address above.

The full text of the adopted amendments begins on the next page:

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER i: SOLID WASTE AND SPECIAL WASTE HAULING

PART 813

PROCEDURAL REQUIREMENTS FOR PERMITTED LANDFILLS

SUBPART A: GENERAL PROCEDURES

Section	
813.101	Scope and Applicability
813.102	Delivery of Permit Application
813.103	Agency Decision Deadlines
813.104	Standards for Issuance of a Permit
813.105	Standards for Denial of a Permit
813.106	Permit Appeals
813.107	Permit No Defense
813.108	Term of Permit
813.109	Transfer of Permits
813.110	Adjusted Standards to Engage in Experimental Practices
813.111	Agency Review of Contaminant Transport Models

SUBPART B: ADDITIONAL PROCEDURES FOR MODIFICATION AND SIGNIFICANT MODIFICATION OF PERMITS

Section	
813.201	Initiation of a Modification or Significant Modification
813.202	Information Required For a Significant Modification of an Approved Permit
813.203	Specific Information Required For a Significant Modification To Obtain Operating Authorization
813.204	Procedures For A Significant Modification of an Approved Permit

SUBPART C: ADDITIONAL PROCEDURES FOR THE RENEWAL OF PERMITS

Section	
813.301	Time of Filing
813.302	Effect of Timely Filing
813.303	Information Required For a Permit Renewal
813.304	Updated Groundwater Impact Assessment
813.305	Procedures for Permit Renewal

SUBPART D: ADDITIONAL PROCEDURES FOR INITIATION AND TERMINATION OF TEMPORARY AND PERMANENT CLOSURE AND POSTCLOSURE CARE

Section	
813.401	Agency Notification Requirements
813.402	Certification of Closure

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813.403 Termination of the Permit

SUBPART E: REPORTS TO BE FILED WITH THE AGENCY

Section

813.501 Annual Reports

813.502 Quarterly Groundwater Reports

813.503 Information to be Retained at or near the Waste Disposal Facility

AUTHORITY: Implementing Sections 5, 21, 21.1, 22, 22.17 and 28.1, and authorized by Section 27, of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021, 1021.1, 1022, 1022.17, 1028.1 and 1027) [415 ILCS 5/5, 21, 21.1, 22, 22.17, 28.1 and 27].

SOURCE: Adopted in R88-7 at 14 Ill. Reg. 15814, effective September 18, 1990; amended in R92-19 at 17 Ill. Reg. 12409, effective July 19, 1993; expedited correction at 18 Ill. Reg. 7501, effective July 19, 1993; amended in R90-26 at 18 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROCEDURES

Section 813.101 Scope and Applicability

a) This Subpart contains the procedures to be followed by all applicants and the Agency for applications for permits required pursuant to Section 21(d) of the Environmental Protection Act (Act) (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1021(d)) [415 ILCS 5/21(d)] and 35 Ill. Adm. Code 811, 812, and 814 and 817. The procedures in this Part apply to applications to issue a permit to develop and operate a landfill, to modify a permit, to renew an expired permit, and to conduct an experimental practice.

b) All general provisions of 35 Ill. Adm. Code 810 apply to this Part.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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1) Heading of the Part: RCRA PERMIT PROGRAM2) Code citation: 35 Ill. Adm. Code 7033) Section numbers: Adopted action:

703.110

Amendment

703.205

Amendment

703.223

Amendment

703.232

Amendment

4) Statutory authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 27].

5) Effective date of amendments: July 29, 1994

6) Does this rulemaking contain an automatic repeal date?: No.

7) Do these amendments contain incorporations by reference?

Yes. 35 Ill. Adm. Code 720.111 constitutes the central listing of incorporations by reference for all documents referenced throughout 35 Ill. Adm. Code 700 through 730, 738, and 739. The federal amendments upon which this proceeding is based updated a number of the documents incorporated in Section 720.111, thus resulting in amendments to that Section. Additionally, amendments were necessary to references to those documents and Section 720.111 in various locations in Parts 703, 721, 724, 725, 726, and 728.

8) Date filed in Board's principal office: Order adopted June 23, 1994.

9) Notice of proposal published in Illinois Register:

May 5, 1994, at 18 Ill. Reg. 6580

10) Has JCAR issued a Statement of Objections to these rules? No.

11) Differences between proposal and final version:

The Board tabulates the suggested corrections and our resulting actions as follows (sources of suggested corrections are indicate with (1) indicating JCAR, (2) indicating the Agency, (3) indicating U.S. EPA, and (4) indicating Board-initiated; * denotes Section not included in proposed

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rule):

of all references to the guideline in BIF rules

Section (Source)	Suggested Correction	Board Action
703.232(c)(2)(B)(2)	Delete " " from before "Test"	No change because underlining indicates addition of quote mark
703.232(c)(2)(B)(2)	Add reference to SW-846 after name of citation	Done
703.232 End Board Note(1)	Change reference to 40 CFR 270.66	Done

12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?

Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR. However, as indicated above, during the public comment period JCAR staff informally submitted questions and suggestions on the proposed amendments. The Board incorporated changes to the amendments based on the JCAR comments.

13) Will these amendments replace an emergency amendments currently in effect? No.

14) Are there any other amendments pending on this Part? No.

15) Summary and purpose of amendments:

A more detailed description is contained in the Board's opinion of June 30, 1994 in R94-7, which Opinion is available from the address below. Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

The broader proceeding, of which this notice is a single Part, updates 35 Ill. Adm. Code 703, 720, 721, 724, 725, 726, and 728 of the Illinois RCRA Subtitle C rules to correspond with amendments adopted by U.S. EPA that appeared in the Federal Register during the period, U.S. EPA undertook four regulatory actions under its RCRA Subtitle C Regulations, as follows:

58 Fed. Reg. 38816, July 20, 1993: Revision of "Guideline on Air Quality Models" and codification as 40 CFR 51, appendix W; amendment

58 Fed. Reg. 42466, Aug. 9, 1993: Determination not to list four large-volume wastes from Coal-fired electric utility power plants as Subpart D listed hazardous wastes (not resulting in regulatory amendments)

58 Fed. Reg. 46040, Aug. 31, 1993: Update of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", EPA Publication SW-846, to third edition, and amendments to incorporations by reference

58 Fed. Reg. 59598, Nov. 9, 1993: Amendment of the health-based standards for qualifying for the Bevill exemption from regulation for BIF residues

The U.S. EPA action of July 20, 1993 was actually an air pollution control rulemaking that incidentally impacted the RCRA Subtitle C corrective actions. Formerly incorporated into the federal regulations by reference, U.S. EPA has updated and codified its "Guideline on Air Quality Models (Revised)" and its two supplements in the federal air regulations. U.S. EPA simultaneously amended several references to the Guideline, including those in the RCRA Subtitle C regulations that pertain to boilers and industrial furnaces (BIFs) that burn hazardous wastes. U.S. EPA also amended the "Screening Procedures for Estimating Air Quality Impact of Stationary Sources, Revised" to later version.

U.S. EPA amended the analytical procedures applicable to RCRA Subtitle C-regulated hazardous wastes on August 31, 1993. U.S. EPA updated "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-846 to its third edition with one update. U.S. EPA amended various appendices to refer to the SW-846 method. U.S. EPA also added a bomb-acid digestion method for analyzing waste-derived fuel and deleted an analytical method for chlorinated dibenzodioxins and dibenzofurans.

U.S. EPA adopted regulations for the burning of hazardous waste in boilers and industrial furnaces (the BIF rules) on February 21, 1991. Those regulations included two tests for determining whether the residues derived from Bevill devices, such as kilns, primary smelters, boilers, etc. were exempted from hazardous waste regulation. The first test is whether the levels of hazardous constituents was not significantly higher than the normal residue of combustion. The second test is whether levels of contaminants in the residues do not exceed specified health-based levels. On November 9, 1993, U.S. EPA amended the Bevill exclusion by amending the second, health-based levels, test. U.S. EPA substituted the land disposal restriction contaminant levels for F039 nonhazardous wastes from part 268 for the health-based levels. U.S. EPA amended its regulations to stay the effect of the levels listed in appendix VII until further federal action. Further, U.S. EPA has provided that an owner or operator has

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demonstrated a good-faith effort to detect a constituent, it is deemed in compliance with the alternative levels.

The Board followed the federal leads and amended the Illinois RCRA Subtitle C regulations accordingly. In addition to the federally-derived amendments, the Board made a number of "housekeeping" amendments, revising codification style and making a small number of corrections. We changed references to the United States Environmental Protection Agency "U.S. EPA". We further began to refer to the "U.S. EPA hazardous waste number" and "U.S. EPA document number" for similar clarity. The Board also continued our move toward presentation of equations and expressions in standard scientific notation. Finally, the Board also used this opportunity to make a number of corrections to punctuation, grammar, and cross-reference format throughout the opened text.

In particular, the amendments to 35 Ill. Adm. Code 703 flow from the federal update to SW-846. A number of corrective amendments are also involved in this Part.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge
Attorney
Illinois Pollution Control Board
100 W. Randolph 11-500
Chicago, IL 60610
312-814-6924

NOTE: In this Part, superscript number or letters are denoted by parentheses; subscript are denoted by brackets.

The full text of the adopted amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER b: PERMITS

PART 703
RCRA PERMIT PROGRAM

SUBPART A: GENERAL PROVISIONS

Section
703.100 Scope and Relation to Other Parts
703.101 Purpose
703.110 References

SUBPART B: PROHIBITIONS

Section
703.120 Prohibitions in General
703.121 RCRA Permits
703.122 Specific Inclusions in Permit Program
703.123 Specific Exclusions from Permit Program
703.124 Discharges of Hazardous Waste
703.125 Reapplications
703.126 Initial Applications
703.127 Federal Permits (Repealed)

SUBPART C: AUTHORIZATION BY RULE AND INTERIM STATUS

Section
703.140 Purpose and Scope
703.141 Permits by Rule
703.150 Application by Existing HWM Facilities and Interim Status
Qualifications
703.151 Application by New HWM Facilities
703.152 Amended Part A Application
703.153 Qualifying for Interim Status
703.154 Prohibitions During Interim Status
703.155 Changes During Interim Status
703.156 Interim Status Standards
703.157 Grounds for Termination of Interim Status
703.158 Permits for Less Than an Entire Facility
703.159 Closure by Removal
703.160 Procedures for Closure Determination

SUBPART D: APPLICATIONS

Section
703.180 Applications in General

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703.181	Contents of Part A
703.182	Contents of Part B
703.183	General Information
703.184	Facility Location Information
703.185	Groundwater Protection Information
703.186	Exposure Information
703.187	Solid Waste Management Units
703.188	Other Information
703.200	Specific Information
703.201	Containers
703.202	Tank Systems
703.203	Surface Impoundments
703.204	Waste Piles
703.205	Incinerators
703.206	Land Treatment
703.207	Landfills
703.208	Specific Part B Information Requirements for Boilers and Industrial Furnaces
703.209	Miscellaneous Units
703.210	Process Vents
703.211	Equipment
703.212	Drip Pads

SUBPART E: SHORT TERM AND PHASED PERMITS

Section	
703.221	Emergency Permits
703.222	Incinerator Conditions Prior to Trial Burn
703.223	Incinerator Conditions During Trial Burn
703.224	Incinerator Conditions After Trial Burn
703.225	Trial Burns for Existing Incinerators
703.230	Land Treatment Demonstration
703.231	Research, Development and Demonstration Permits
703.232	Permits for Boilers and Industrial Furnaces Burning Hazardous Waste

SUBPART F: PERMIT CONDITIONS OR DENIAL

Section	
703.240	Permit Denial
703.241	Establishing Permit Conditions
703.242	Noncompliance Pursuant to Emergency Permit
703.243	Monitoring
703.244	Notice of Planned Changes
703.245	Twenty-four Hour Reporting
703.246	Reporting Requirements
703.247	Anticipated Noncompliance

SUBPART G: CHANGES TO PERMITS

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Section	
703.260	Transfer
703.270	Modification
703.271	Causes for Modification
703.272	Causes for Modification or Reissuance
703.273	Facility Siting
703.280	Permit Modification at the Request of the Permittee
703.281	Class 1 Modifications
703.282	Class 2 Modifications
703.283	Class 3 Modifications

APPENDIX A Classification of Permit Modifications

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027) [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R82-19, 53 PCB 131, at 7 Ill. Reg. 14289, effective October 12, 1983; amended in R83-24 at 8 Ill. Reg. 206, effective December 27, 1983; amended in R84-9 at 9 Ill. Reg. 11899, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1110, effective January 2, 1987; amended in R85-23 at 10 Ill. Reg. 13284, effective July 28, 1986; amended in R86-1 at 10 Ill. Reg. 14093, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20702, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6121, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13543, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19383, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2584, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 13069, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 447, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18477, effective November 13, 1989; amended in R89-9 at 14 Ill. Reg. 6278, effective April 16, 1990; amended in R90-2 at 14 Ill. Reg. 14492, effective August 22, 1990; amended in R90-11 at 15 Ill. Reg. 9616, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14554, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9767, effective June 9, 1992; amended in R92-10 at 17 Ill. Reg. 5774, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20794, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6898, effective April '26, 1994; amended in R94-7 at 18 Ill. Reg. _____, effective _____.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

Section 703.110 References

- a) When used in this Part the following publications are incorporated by reference:
1. ~~United States Environmental Protection Agency, "Methods for Evaluating Solid Waste-Physical-Chemical Methods," EPA Publication 846-(Second Edition)-1982-as amended-by-Update-I (April, 1984)-and-Update-II (April, 1985))-the second edition of~~

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SW-846-and-Updates-i-and-ii-are-available-from-the-Superintendent--of-
Documents--U.S.--Government--Printing-Office--Washington--B-E-7-20401
(2093-703-32307-on-a-subscription-basis. (See 35 Ill. Adm. Code
720.111.)

b) The references listed in paragraph subsection (a) above are also
available for inspection at the offices of the Pollution Control
Board. This incorporation includes no later amendments or editions.

(BOARD NOTE: Derived from 40 CFR 270.6 (1992), as amended at 58 Fed.
Reg. 46051 (Aug. 31, 1993).)

(Source: Amended at 18 Ill. Reg. _____, effective
_____)

Section 703.205 Incinerators

For facilities that incinerate hazardous waste, except as 35 Ill. Adm. Code
724.440 provides otherwise, the applicant must fulfill the requirements of
paragraphs subsections (a), (b) or (c) below in completing the Part B
application:

- a) When seeking exemption under 35 Ill. Adm. Code 724.440(b) or (c)
(ignitable, corrosive or reactive wastes only):
 - 1) Documentation that the waste is listed as a hazardous waste in 35
Ill. Adm. Code 721r. Subpart D solely because it is ignitable
(Hazard Code I), corrosive (Hazard Code C), or both; or
 - 2) Documentation that the waste is listed as a hazardous waste in 35
Ill. Adm. Code 721r. Subpart D solely because it is reactive
(Hazard Code R) for characteristics other than those listed in 35
Ill. Adm. Code 721.123(a)(4) and (a)(5), and will not be burned
when other hazardous wastes are present in the combustion zone;
or
 - 3) Documentation that the waste is a hazardous waste solely because
it possesses the characteristic of ignitability or corrosivity,
or both, as determined by the tests for characteristics of
hazardous wastes under 35 Ill. Adm. Code 721r. Subpart C; or
- 4) Documentation that the waste is a hazardous waste solely because
it possesses the reactivity characteristics listed in 35 Ill.
Adm. Code 721.123 (a)(1)-(4) through (a) (3) or (a)(6)-(7) or
through (a)(8), and that it will not be burned when other
hazardous wastes are present in the combustion zone; or
- b) Submit a trial burn plan or the results of a trial burn, including all
required determinations, in accordance with Section 703.222 et seq.;
or
- c) In lieu of a trial burn, the applicant may submit the following
information:
 - 1) An analysis of each waste or mixture of wastes to be burned
including:
 - A) Heat value of the waste in the form and composition in which
it will be burned;
 - B) Viscosity (if applicable), or description of physical form

of the waste;

C) An identification of any hazardous organic constituents
listed in 35 Ill. Adm. Code 721r-Appendix H, which that are
present in the waste to be burned, except that the applicant
need not analyze for constituents listed in 35 Ill. Adm.
Code 721r-Appendix H which that would reasonably not be
expected to be found in the waste. The constituents
excluded from analysis must be identified and the basis for
their exclusion stated. The waste analysis must rely on
analytical techniques specified in "Test Methods for the
Evaluation of Solid Waste, Physical/Chemical Methods", U.S.
EPA Publication SW-846, as incorporated by reference--see
at 35 Ill. Adm. Code 720.111 and Section 703.110 and
referenced--in--35-III--Adm--Code--721r-Appendix-E7, or their
equivalent;

D) An approximate quantification of the hazardous constituents
identified in the waste, within the precision produced by
the analytical methods specified in "Test Methods for the
Evaluation of Solid Waste, Physical/Chemical Methods", U.S.
EPA Publication SW-846, as incorporated by reference--see
at 35 Ill. Adm. Code 720.111 and Section 703.110;

E) A quantification of those hazardous constituents in the
waste which that may be designated as POHCs based on data
submitted from other trial or operational burns which that
demonstrate compliance with the performance standard in 35
Ill. Adm. Code 724.443;

2) A detailed engineering description of the incinerator, including:

- A) Manufacturer's name and model number of incinerator;
- B) Type of incinerator;
- C) Linear dimension of incinerator unit including cross
sectional area of combustion chamber;
- D) Description of auxiliary fuel system (type/feed);
- E) Capacity of prime mover;
- F) Description of automatic waste feed cutoff system(s);
- G) Stack gas monitoring and pollution control monitoring
system;
- H) Nozzle and burner design;
- I) Construction materials;
- J) Location and description of temperature, pressure and flow
indicating devices and control devices;

3) A description and analysis of the waste to be burned compared
with the waste for which data from operational or trial burns are
provided to support the contention that a trial burn is not
needed. The data should include those items listed in paragraph
subsection (c)(1) above. This analysis should specify the POHCs
which that the applicant has identified in the waste for which a
permit is sought, and any differences from the POHCs in the waste
for which burn data are provided;

4) The design and operating conditions of the incinerator unit to be

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used, compared with that for which comparative burn data are available;

- 5) A description of the results submitted from any previously conducted trial burn(s) including:

A) Sampling and analysis techniques used to calculate performance standards in 35 Ill. Adm. Code 724.443;

B) Methods and results of monitoring temperatures, waste feed rates, carbon monoxide and an appropriate indicator of combustion gas velocity (including a statement concerning the precision and accuracy of this measurement);

C) The certification and results required by **paragraph** subsection (b) above;

- 6) The expected incinerator operation information to demonstrate compliance with 35 Ill. Adm. Code 724.443 and 724.445 including:

A) Expected carbon monoxide (CO) level in the stack exhaust gas;

B) Waste feed rate;

C) Combustion zone temperature;

D) Indication of combustion gas velocity;

E) Expected stack gas volume, flow rate and temperature;

F) Computed residence time for waste in the combustion zone;

G) Expected hydrochloric acid removal efficiency;

H) Expected fugitive emissions and their control procedures;

I) Proposed waste feed cut-off limits based on the identified significant operating parameters;

- 7) The Agency may, pursuant to 35 Ill. Adm. Code 705.122, request such additional information as may be necessary for the Agency to determine whether the incinerator meets the requirements of 35 Ill. Adm. Code 7247-Subpart 0, and what conditions are required by that Subpart and Section 39(d) of the Environmental Protection Act;

8) Waste analysis data, including that submitted in **paragraph** subsection (c)(1) above, sufficient to allow the Agency to specify as permit Principal Organic Hazardous Constituents (permitted POHCs) those constituents for which destruction and removal efficiencies will be required;

- d) The Agency shall approve a permit application without a trial burn if it finds that:

1) The wastes are sufficiently similar; and

2) The incinerator units are sufficiently similar, and the data from other trial burns are adequate to specify (under 35 Ill. Adm. Code 724.445) operating conditions that will ensure that the performance standards in 35 Ill. Adm. Code 724.443 will be met by the incinerator.

(BOARD NOTE: Derived from 40 CFR 270.19 (1992), as amended at 58 Fed. Reg. 46051 (Aug. 31, 1993). See 40 CFR 122.25(b)(5).)

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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Section 703.223 Incinerator Conditions During Trial Burn

For the purposes of determining feasibility of compliance with the performance standards of 35 Ill. Adm. Code 724.443 and of determining adequate operating conditions under 35 Ill. Adm. Code 724.445, the Agency shall establish conditions in the permit to a new hazardous waste incinerator to be effective during the trial burn.

a) Applicants shall propose a trial burn plan, prepared under subsection (b) below with Part B of the permit application;

b) The trial burn plan must include the following information:

- 1) An analysis of each waste or mixture of wastes to be burned **which** that includes:

A) Heat value of the waste in the form and composition in which it will be burned;

B) Viscosity (if applicable), or description of physical form of the waste;

C) An identification of any hazardous organic constituents listed in 35 Ill. Adm. Code 721.Appendix H, **which** that are present in the waste to be burned, except that the applicant need not analyze for constituents listed in 35 Ill. Adm. Code 721.Appendix H **which** that would reasonably not be expected to be found in the waste. The constituents excluded from analysis must be identified, and the basis for their exclusion stated. The waste analysis must rely on analytical techniques specified in "Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods", U.S. EPA Publication SW-846, as incorporated by reference--**see** at 35 Ill. Adm. Code 720.111 and Section 703.1107, or their equivalent;

D) An approximate quantification of the hazardous constituents identified in the waste, within the precision produced by the analytical methods specified in "Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods", U.S. EPA Publication SW-846, as incorporated by reference--**see** at 35 Ill. Adm. Code 720.111 and Section 703.1107, or their equivalent;

- 2) A detailed engineering description of the incinerator for which the permit is sought including:

A) Manufacturer's name and model number of incinerator (if available);

B) Type of incinerator;

C) Linear dimensions of the incinerator unit including the cross sectional area of combustion chamber;

D) Description of the auxiliary fuel system (type/feed);

E) Capacity of prime mover;

F) Description of automatic waste feed cut-off system(s);

G) Stack gas monitoring and pollution control equipment;

H) Nozzle and burner design;

I) Construction materials;

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- J) Location and description of temperature, pressure and flow indicating and control devices;
- 3) A detailed description of sampling and monitoring procedures, including sampling and monitoring locations in the system, the equipment to be used, sampling and monitoring frequency and planned analytical procedures for sample analysis;
- 4) A detailed test schedule for each waste for which the trial burn is planned including date(s), duration, quantity of waste to be burned and other factors relevant to the Agency's decision under subsection (e) below;
- 5) A detailed test protocol, including, for each waste identified, the ranges of temperature, waste feed rate, combustion gas velocity, use of auxiliary fuel and any other relevant parameters that will be varied to affect the destruction and removal efficiency of the incinerator;
- 6) A description of, and planned operating conditions for, any emission control equipment which that will be used;
- 7) Procedures for rapidly stopping waste feed, shutting down the incinerator and controlling emissions in the event of an equipment malfunction;
- 8) Such other information as the Agency reasonably finds necessary to determine whether to approve the trial burn plan in light of the purposes of this paragraph subsection and the criteria in subsection (e) below. Such information must be requested by the Agency pursuant to 35 Ill. Adm. Code 705.123.
- c) The Agency, in reviewing the trial burn plan, shall evaluate the sufficiency of the information provided and shall require the applicant, pursuant to 35 Ill. Adm. Code 705.123, to supplement this information, if necessary, to achieve the purposes of this paragraph subsection;
- d) Based on the waste analysis data in the trial burn plan, the Agency shall specify as trial Principal Organic Hazardous Constituents (POHCs), those constituents for which destruction and removal efficiencies must be calculated during the trial burn. These trial POHCs must be specified by the Agency based on its estimate of the difficulty of incineration of the constituents identified in the waste analysis, their concentration or mass in the waste feed, and, for wastes listed in 35 Ill. Adm. Code 721. Subpart D, the hazardous waste organic constituent of constituents identified in 35 Ill. Adm. Code 721. Appendix G or H as the basis for listing;
- e) The Agency shall approve a trial burn plan if it finds that:
- 1) The trial burn is likely to determine whether the incinerator performance standard required by 35 Ill. Adm. Code 724.443 can be met;
 - 2) The trial burn itself will not present an imminent hazard to human health or the environment;
 - 3) The trial burn will help the Agency to determine operating requirements to be specified under 35 Ill. Adm. Code 724.445; and
 - 4) The information sought in subsection (e)(1) and (e)(3) above

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- f) cannot reasonably be developed through other means;
- f) During each approved trial burn (or as soon after the burn as is practicable), the applicant shall make the following determinations:
- 1) A quantitative analysis of the trial POHCs, in the waste feed to the incinerator;
 - 2) A quantitative analysis of the exhaust gas for the concentration and mass emissions of the trial POHC's, molecular oxygen and hydrogen chloride (HCl);
 - 3) A quantitative analysis of the scrubber water (if any), ash residues and other residues, for the purpose of estimating the fate of the trial POHCs;
 - 4) A computation of destruction and removal efficiency (DRE), in accordance with the DRE formula specified in 35 Ill. Adm. Code 724.443(a);
 - 5) If the HCl (hydrogen chloride) emission rate exceeds 1.8 kilograms of HCl per hour (4 pounds per hour), a computation of HCl removal efficiency in accordance with 35 Ill. Adm. Code 724.443(b);
 - 6) A computation of particulate emissions, in accordance with 35 Ill. Adm. Code 724.443(c);
 - 7) An identification of sources of fugitive emissions and their means of control;
 - 8) A measurement of average, maximum and minimum temperatures and combustion gas velocity;
 - 9) A continuous measurement of carbon monoxide (CO) in the exhaust gas;
 - 10) Such other information as the Agency specifies as necessary to ensure that the trial burn will determine compliance with the performance standards in 35 Ill. Adm. Code 724.443 and to establish the operating conditions required by 35 Ill. Adm. Code 724.445 as necessary to meet that performance standard.
- g) The applicant shall submit to the Agency a certification that the trial burn has been carried out in accordance with the approved trial burn plan, and shall submit the results of all the determinations required in subsection (f) above. This submission must be made within 90 days of completion of the trial burn, or later if approved by the Agency;
- h) All data collected during any trial burn must be submitted to the Agency following the completion of the trial burn;
- i) All submissions required by this paragraph subsection must be certified on behalf of the applicant by the signature of a person authorized to sign a permit application or a report under 35 Ill. Adm. Code 702.126;
- j) Based on the results of the trial burn, the Agency shall set the operating requirements in the final permit according to 35 Ill. Adm. Code 724.445. The permit modification must proceed as a minor modification according to Section 703.280..
- BOARD NOTE: Derived from 40 CFR 270.62(a) (1988 1992), as amended at 53 FR Reg. 399347-September-28-1988 46051 (Aug. 31, 1993).

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(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 703.232 Permits for Boilers and Industrial Furnaces Burning Hazardous Waste

a) General. Owners and operators of new boilers and industrial furnaces (those not operating under the interim status standards of 35 Ill. Adm. Code 726.203) are subject to subsection (b) through (f) below. Boilers and industrial furnaces operating under the interim status standards of 35 Ill. Adm. Code 726.203 are subject to subsection (g) below.

b) Permit operating periods for new boilers and industrial furnaces. A permit for a new boiler or industrial furnace must specify appropriate conditions for the following operating periods:

1) Pretrial burn period. For the period beginning with initial introduction of hazardous waste and ending with initiation of the trial burn, and only for the minimum time required to bring the boiler or industrial furnace to a point of operation readiness to conduct a trial burn, not to exceed 720 hours operating time when burning hazardous waste, the Agency shall establish in the Pretrial Burn Period of the permit conditions, including but not limited to allowable hazardous waste feed rates and operating conditions. The Agency shall extend the duration of this operational period once, for up to 720 additional hours, at the request of the applicant when good cause is shown. The permit must be modified to reflect the extension according to Section 703.280 et seq.

A) Applicants must submit a statement, with part B of the permit application, that suggests the conditions necessary to operate in compliance with the standards of 35 Ill. Adm. Code 726.204 through 726.207 during this period. This statement should include, at a minimum, restrictions on the applicable operating requirements identified in 35 Ill. Adm. Code 726.202 (e).

B) The Agency shall review this statement and any other relevant information submitted with part B of the permit application and specify requirements for this period sufficient to meet the performance standards of 35 Ill. Adm. Code 726.204 through 726.207 based on the Agency's engineering judgment.

2) Trial burn period. For the duration of the trial burn, the Agency shall establish conditions in the permit for the purposes of determining feasibility of compliance with the performance standards of 35 Ill. Adm. Code 726.204 through 726.207 and determining adequate operating conditions under 35 Ill. Adm. Code 726.202(e). Applicants shall propose a trial burn plan, prepared under subsection (c), below, to be submitted with part B of the permit application.

3) Post-trial burn period.

A) For the period immediately following completion of the trial burn, and only for the minimum period sufficient to allow sample analysis, data competition and submission of the trial burn results by the applicant, and review of the trial burn results and modification of the facility permit by the Agency to reflect the trial burn results, the Agency shall establish the operating requirements most likely to ensure compliance with the performance standards of 35 Ill. Adm. Code 726.204 through 726.207 based on the Agency's engineering judgment.

B) Applicants shall submit a statement, with part B of the application, that identifies the conditions necessary to operate during this period in compliance with the performance standards of 35 Ill. Adm. Code 726.204 through 726.207. This statement should include, at a minimum, restrictions on the operating requirements provided by 35 Ill. Adm. Code 726.202(e).

C) The Agency shall review this statement and any other relevant information submitted with part B of the permit application and specify requirements of this period sufficient to meet the performance standards of 35 Ill. Adm. Code 726.204 through 726.207 based on the Agency's engineering judgment.

4) Final permit period. For the final period of operation the Agency shall develop operating requirements in conformance with 35 Ill. Adm. Code 726.202(e) that reflect conditions in the trial burn plan and are likely to ensure compliance with the performance standards of 35 Ill. Adm. Code 726.204 through 726.207. Based on the trial burn results, the Agency shall make any necessary modifications to the operating requirements to ensure compliance with the performance standards. The permit modification must proceed according to Section 703.280 et seq.

c) Requirements for trial burn plans. The trial burn plan must include the following information. The Agency, in reviewing the trial burn plan, shall evaluate the sufficiency of the information provided and may require the applicant to supplement this information, if necessary, to achieve the purposes of this subsection.

1) An analysis of each feed stream, including hazardous waste, other fuels, and industrial furnace feed stocks, as fired, that includes:

A) Heating value, levels of antimony, arsenic, barium, beryllium, cadmium, chromium, lead, mercury, silver, thallium, total chlorine/chloride and ash;

B) Viscosity or description of the physical form of the feed stream;

2) An analysis of each hazardous waste, as fired, including:

A) An identification of any hazardous organic constituents listed in 35 Ill. Adm. Code 721.Appendix H that are present

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in the feed stream, except that the applicant need not analyze for constituents listed in Appr. Appendix H which that would reasonably not be expected to be found in the hazardous waste. The constituents excluded from analysis must be identified as the basis for this exclusion explained. The analysis must be conducted in accordance with analytical techniques specified in "Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods", U.S. EPA Publication SW-846, as incorporated by reference see at 35 Ill. Adm. Code 720.111 and Section 703.110, or their equivalent.

B) An approximate quantification of the hazardous constituents identified in the hazardous waste, within the precision produced by the analytical methods specified in "Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods", U.S. EPA Publication SW-846, as incorporated by reference at 35 Ill. Adm. Code 720.111 and Section 703.110, or other equivalent.

C) A description of blending procedures, if applicable, prior to firing the hazardous waste, including a detailed analysis of the hazardous waste prior to blending, an analysis of the material with which the hazardous waste prior to blending, an analysis of the material with which the hazardous waste is blended, and blending ratios.

3) A detailed engineering description of the boiler or industrial furnace, including:

- A) Manufacturer's name and model number of the boiler or industrial furnace;
- B) Type of boiler or industrial furnace;
- C) Maximum design capacity in appropriate units;
- D) Description of the Feed system for the hazardous waste, and as appropriate, other fuels and industrial furnace feedstocks;
- E) Capacity of hazardous waste feed system;
- F) Description of automatic hazardous waste feed cutoff system(s); and
- G) Description of any pollution control system; and
- H) Description of stack gas monitoring and any pollution control monitoring systems.

4) A detailed description of sampling and monitoring procedures including sampling and monitoring locations in the systems, the equipment to be used, sampling and monitoring frequency and sample analysis.

5) A detailed test schedule for each hazardous waste for which the trial burn is planned, including date(s), duration, quantity of hazardous waste to be burned, and other factors relevant to the Agency's decision under subsection (b)(2), above.

6) a detailed test protocol, including, for each hazardous waste identified, the ranges of hazardous waste feed rate, and, as

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appropriate, the feed rates of other fuels and industrial furnace feedstocks, and any other relevant parameters that may affect the ability of the boiler or industrial furnace to meet the performance standards in 35 Ill. Adm. Code 726.204 through 726.207.

7) A description of and planned operating conditions for any emission control equipment that will be used.

8) Procedures for rapidly stopping; the hazardous waste feed and controlling emissions in the event of an equipment malfunction.

9) Such other information as the Agency finds necessary to determine whether to approve the trial burn plan in light of the purposes of this subsection and the criteria in subsection (b)(2), above.

d) Trial burn procedures.

1) A trial burn must be conducted to demonstrate conformance with the standards of 35 Ill. Adm. Code 726.104 through 726.107.

2) The Agency shall approve a trial burn plan if the Agency finds that:

A) The trial burn is likely to determine whether the boiler or industrial furnace can meet the performance standards of 35 Ill. Adm. Code 726.104 through 726.107.

B) The trial burn itself will not present an imminent hazard to human health and the environment;

C) The trial burn will help the Agency to determine operating requirements to be specified under 35 Ill. Adm. Code 726.102(e); and

D) The information sought in the trial burn cannot reasonably be developed through other means.

3) The applicant shall submit to the Agency a certification that the trial burn has been carried out in accordance with the approved trial burn plan, and submit the results of all the determinations required in subsection (c), above. The Agency shall, in the trial burn plan, require that the submission be made within 90 days after completion of the trial burn, or later if the Agency determines that a later date is acceptable.

4) All data collected during any trial burn must be submitted to the Agency following completion of the trial burn.

5) All submissions required by this subsection must be certified on behalf of the applicant by the signature of a person authorized to sign a permit application or a report under 35 Ill. Adm. Code 702.126.

e) Special procedures for DRE trial burns. When a DRE trial burn is required under 35 Ill. Adm. Code 726.104, the Agency shall specify (based on the hazardous waste analysis data and other information in the trial burn plan) as trial Principal Organic Hazardous Constituents (POHCs) those compounds for which destruction and removal efficiencies must be calculated during the trial burn. These trial POHCs will be specified by the Agency based on information including the Agency's estimate of the difficulty of destroying the constituents identified in the hazardous waste analysis, their concentrations or mass in the

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hazardous waste feed, and, for hazardous waste containing or derived from wastes listed in 35 Ill. Adm. Code 726.204 through 726.207 and of determining waste organic constituent(s) identified in 35 Ill. Adm. Code 726.203, adequate operating conditions under 35 Ill. Adm. Code 726.203, applicants owning or operating existing boilers or industrial furnaces operated under the interim status standards of 35 Ill. Adm. Code 726.203 shall either prepare and submit a trial burn plan and perform a trial burn in accordance with the requirements of the Section or submit other information as specified in Section 703.208(a)(6). Applicants who that submit a trial burn plan and receive approval before submission of the part B permit application shall complete the trial burn and submit the results specified in subsection (f), above, with the part B permit application. If completion of this process conflicts with the date set for submission of the part B application, the applicant shall contact the Agency to establish a later date for submission of the part B application or the trial burn results. If the applicant submits a trial burn plan with part B of the permit application, the trial burn must be conducted and the results submitted within a time period prior to permit issuance to be specified by the Agency.

f) Determinations based on trial burn. During each approved trial burn (or as soon after the burn as is practicable), the applicant shall make the following determinations:

- 1) A quantitative analysis of the levels of antimony, arsenic, barium, beryllium, cadmium, chromium, lead, mercury, thallium, silver, and chlorine/chloride, in the feed streams (hazardous waste, other fuels, and industrial furnace feedstocks);
- 2) When a DRE trial burn is required under 35 Ill. Adm. Code 726.204(a):

- A) A quantitative analysis of the trial POHCs in the hazardous waste feed;

- B) A quantitative analysis of the stack gas for the concentration and mass emissions of the trial POHCs; and

- C) A computation of (DRE), in accordance with the DRE formula specified in 35 Ill. Adm. Code 726.204(a).

- 3) When a trial burn for chlorinated dioxins and furans is required under 35 Ill. Adm. Code 726.204(e), a quantitative analysis of the stack gas for the concentration and mass emission rate of the 2,3, 7, 8-chlorinated tetra-octa congeners of chlorinated dibenzo-p-dioxins and furans, and a computation showing conformance with the emission standard.

- 4) When a trial burn for PM, metals, or HCl/Chlorine gas is required under 35 Ill. Adm. Code 726.205, 726.206(c) or (d) or 726.207(b)(2) or (c), a quantitative analysis of the stack gas for the concentrations and mass emissions of PM, metals, or HCl and chlorine gas and computations showing conformance with the applicable emission performance standards;

- 5) When a trial burn for DRE, metals, and HCl/Chlorine gas is required under 35 Ill. Adm. Code 726.204(a), 726.206(c) or (d), or 726.207(b)(2) or (c), a quantitative analysis of the scrubber water (if any), ash residues, other residues, and products for the purpose of estimating the fate of the trial POHCs, metals, and chlorine/chloride;

- 6) An identification of sources of fugitive emissions and their means of control;

- 7) A continuous measurement of carbon monoxide (CO), oxygen, and where required hydrocarbons (HC), in the stack gas; and

- 8) Such other information as the Agency specifies as necessary to ensure that the trial burn will determine compliance with the performance standards 35 Ill. Adm. Code 726.204 through 726.207 and to establish the operating conditions required by 35 Ill. Adm. Code 726.204 through 726.207 and of determining adequate operating conditions under 35 Ill. Adm. Code 726.203, and to establish the operating conditions required by 35 Ill. Adm. Code 726.202(e) as necessary to meet those performance standards.

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- g) Interim status boilers and industrial furnaces. For the purpose of determining feasibility of compliance with the performance standards of 35 Ill. Adm. Code 726.204 through 726.207 and of determining adequate operating conditions under 35 Ill. Adm. Code 726.203, applicants owning or operating existing boilers or industrial furnaces operated under the interim status standards of 35 Ill. Adm. Code 726.203 shall either prepare and submit a trial burn plan and perform a trial burn in accordance with the requirements of the Section or submit other information as specified in Section 703.208(a)(6). Applicants who that submit a trial burn plan and receive approval before submission of the part B permit application shall complete the trial burn and submit the results specified in subsection (f), above, with the part B permit application. If completion of this process conflicts with the date set for submission of the part B application, the applicant shall contact the Agency to establish a later date for submission of the part B application or the trial burn results. If the applicant submits a trial burn plan with part B of the permit application, the trial burn must be conducted and the results submitted within a time period prior to permit issuance to be specified by the Agency.

BOARD NOTE: Derived from 40 CFR 270.66 (1992), as amended at 58 Fed. Reg. 46051 (Aug. 31, 1993).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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21) Heading of the Part: REQUIREMENTS FOR NEW STEEL AND FOUNDRY INDUSTRY WASTES LANDFILLS2) Code Citation: 35 Ill. Adm. Code 8173) Section Numbers: Adopted Action:

817.101, 817.102, 817.103 New Section
 817.104, 817.105, 817.106 New Section
 817.107, 817.201, 817.202 New Section
 817.203, 817.204, 817.301 New Section
 817.302, 817.303, 817.304 New Section
 817.305, 817.306, 817.307 New Section
 817.308, 817.401, 817.402 New Section
 817.403, 817.404, 817.405 New Section
 817.406, 817.407, 817.408 New Section
 817.409, 817.410, 817.411 New Section
 817.412, 817.413, 817.414 New Section
 817.415, 817.416, 817.417 New Section
 817.418, 817.419 New Section
 817.501, 817.Appendix A New Section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021, 1021.1, 1022, 1022.17 and 1027 [415 ILCS 5/5, 5/21, 5/21.1, 5/22, 5/22.17, and 5/27].

5) Effective Date of Amendments: August 1, 1994

6) Does this rulemaking contain an automatic repeal date?: No.

7) Do these proposed amendments contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: July 21, 1994

9) Notice of proposal published in Illinois Register: October 15, 1993 at 17 Ill. Reg. 17659. Also see Corrections notice of December 17, 1993 at 17 Ill. Reg. 21878.

10) Has JCAR Issued a Statement of Objection to These Proposed Amendments: No

11) Differences between proposal and final revisions: Certain minor editorial or typographical corrections made at the request of JCAR or the Code Unit are not detailed here. Significant deletions were Sections 817.102, 817.307, 817.308, 817.420 and 817.421; the Board did not adopt these sections in response to public comment that they were duplicative of material in 811.Subpart A.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? None issued.

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13) Will these proposed amendments replace emergency amendments currently in effect? No.

14) Are there any other amendments pending on this Part? Yes.

<u>Section</u>	<u>Proposed Action</u>	<u>Ill. Reg. Cite</u>
817.309	Added	April 21, 1994 18 Ill. Reg. 6246

15) Summary and Purpose of the Rule:

A more detailed description is contained in the Board's opinion and order of July 21, 1994 in R90-23, which opinion and order is available from the address below.

On August 17, 1990, in R88-7, the Board adopted extensive regulations at 35 Ill. Adm. Code 810 through 815 and amendments to the existing regulations at 35 Ill. Adm. Code 807 to govern the landfill disposal of non-hazardous waste. See 14 Ill. Reg. 15785 (Part 812), 15817 (Part 815), 15814 (Part 813), 15850 (Part 814), 15832 (Part 807), 15838 (Part 810), and 15861 (Part 811) (effective Sept. 18, 1990). As Part of that extensive rulemaking proceeding, the Board provided at 35 Ill. Adm. Code 811.101(b) that the regulations would have a limited applicability to landfills that disposed exclusively of wastes generated by foundries and primary steel production facilities, provided those industries filed a rulemaking proposal relating specifically to those wastes prior to December 1, 1990. This was done in response to the participation of those industries in the R88-7 proceeding.

On December 12, 1990, the Board received a rulemaking proposal from the affected industries. After a February 4, 1991 response by Steel and Foundry to a December 20, 1993 request by the Board for more information, the Board adopted on February 7, 1991 a first First Notice Opinion and order; this proposal was published in the Illinois Register on March 1, 1991. (See 17 Ill. Reg. 3166 (Part 811), and 3155 (Part 814), and 3173 (Part 817) (Mar. 1, 1991).) The Board conducted public hearings on May 19, June 7, and June 21, 1991. The industries filed their first amended proposal on May 13, 1991. After filing a pre-hearing discussion draft on June 24, 1992, the industries filed their second amended proposal on March 4, 1993, with further documentation filed on May 13, 1993 in response to a March 26, 1993 Board hearing officer's order.

The present proposed amendments are based on the second amended industry proposal. 35 Ill. Adm. Code 807 and 810 through 815, and newly-proposed 35 Ill. Adm. Code 817 are involved in this proceeding.

The present rulemaking would establish requirements for certain landfills accepting wastes from the foundry and primary steel industries for

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disposal. These requirements would apply in place of those that would otherwise apply.

- 16) Information and questions regarding this adopted amendment shall be directed to:
Requests for copies of the Board's July 21, 1994 Opinion should reference Docket R90-26 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Questions regarding these rules may be directed to Anand Rao (312) 814-3956 or Kathleen Crowley (312) 814-6929 at the address above.

The full text of the adopted amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER I: SOLID WASTE AND SPECIAL WASTE

PART 817

REQUIREMENTS FOR NEW STEEL AND FOUNDRY INDUSTRY WASTES LANDFILLS

SUBPART A: GENERAL REQUIREMENTS

Section	
817.101	Scope and Applicability
817.103	Determination of Waste Status
817.104	Sampling Frequency
817.105	Waste Classification
817.106	Waste Classification Limits
817.107	Waste Mining

SUBPART B: STANDARDS FOR MANAGEMENT OF BENEFICIALLY USABLE STEEL AND FOUNDRY INDUSTRY WASTES

Section	
817.201	Scope and Applicability
817.202	Limitations on Use
817.203	Notification
817.204	Long-Term Storage

SUBPART C: STEEL AND FOUNDRY INDUSTRY POTENTIALLY USABLE WASTE LANDFILLS

Section	
817.301	Scope and Applicability
817.302	Design Period
817.303	Final Cover
817.304	Final Slope and Stabilization
817.305	Leachate Sampling
817.306	Load Checking

SUBPART D: NEW STEEL AND FOUNDRY INDUSTRY LOW RISK WASTE LANDFILLS

Section	
817.401	Scope and Applicability
817.402	Facility Location
817.403	Design Period
817.404	Foundation and Mass Stability Analysis
817.405	Foundation Construction
817.406	Liner Systems

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817.407	Leachate Drainage System
817.408	Leachate Collection System
817.409	Leachate Treatment and Disposal System
817.410	Final Cover System
817.411	Hydrogeologic Site Investigations
817.412	Plugging and Sealing of Drill Holes
817.413	Groundwater Impact Assessment
817.414	Design, Construction and Operation of Groundwater Monitoring Systems
817.415	Groundwater Monitoring Programs
817.416	Groundwater Quality Standards
817.417	Waste Placement
817.418	Final Slope and Stabilization
817.419	Load Checking

SUBPART E: CONSTRUCTION QUALITY ASSURANCE PROGRAMS

Section	Scope and Applicability
817.501	

APPENDIX A Organic Chemical Constituents List

AUTHORITY: Implementing Sections 5, 21, 21.1, 22, 22.17 and 28.1, and authorized by Section 27, of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021, 1021.1, 1022, 1022.17, 1028.1 and 1027) [415 ILCS 5/5, 21, 21.1, 22, 22.17, 28.1 and 27].

SOURCE: Adopted in R90-26 at 18 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL REQUIREMENTS

Section 817.101 Scope and Applicability

- a) In addition to the requirements of 35 Ill. Adm. Code 811.Subpart A, the standards of this Part apply exclusively to the non-putrescible wastes produced by the following processes:
- 1) The steel and foundry processes covered by SIC Codes 331 and 332 with the exception of those industries identified by SIC Code 3313; and
 - 2) The foundry processes at business operations whose primary SIC Code is not included within the SIC Code 332.
- b) Landfill units regulated under this Part shall accept waste only from the steel and foundry industries.
- c) This Part shall not apply to the not otherwise prohibited use of iron and steelmaking slags, including the use as a base for road building, but not including use for land reclamation except as allowed under subsection (e).
- d) This part shall not apply to the not otherwise prohibited use of foundry sand which has been demonstrated as suitable for beneficial

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- use under Section 817.105, including the use as a base for road building, but not including use for land reclamation except as allowed under subsection (e).
- e) The Agency may approve the use of iron and steelmaking slags and foundry sands for land reclamation purposes upon a demonstration by the owner or operator that such uses will not cause an exceedence of the applicable groundwater quality standards specified at 35 Ill. Adm. Code 620.
- f) This Part shall not apply to the use or reuse of iron and steelmaking slags and foundry sands as ingredients in an industrial process to make a product.

Section 817.103 Determination of Waste Status

- a) A representative sample of leachate extracted by ASTM Method D3987-85, incorporated by reference in 35 Ill. Adm. Code 810.204, from each waste stream to be disposed of or utilized shall be used to characterize the expected constituents and concentrations of the leachate. Representative samples of waste streams to be tested shall be obtained by use of ASTM Method D2234-76, incorporated by reference in 35 Ill. Adm. Code 810.204.
- b) Actual samples of leachate from an existing solid waste disposal unit or beneficial use site may be utilized under the following conditions:
- 1) The waste in the existing unit is similar to the waste to be used or disposed;
 - 2) The conditions under which the leachate was formed are similar to those expected to be encountered; and
 - 3) Leachate is sampled so as to be representative of undiluted and unattenuated leachate emanating from the unit.

Section 817.104 Sampling Frequency

- a) All individual wastes streams shall be tested annually pursuant to 817.103(a).
- b) Additional testing on individual waste streams shall be conducted when any of the following occurs:
- 1) There is a change in the raw materials which could result in a change in the wastes' classification;
 - 2) There is a modification to the process which generates the waste that could result in a change in the wastes' leaching characteristics; or
 - 3) There is an addition of a new process which may generate a new waste material.

Section 817.105 Waste Classification

- a) Wastes regulated by this Part shall be classified on the basis of leaching potential as determined by the procedure at Section 817.103.
- b) Wastes regulated by this Subpart shall fall into one of four

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classifications:

- 1) Beneficially usable waste;
 - 2) Potentially usable waste;
 - 3) Low risk waste; or
 - 4) Chemical waste.
- c) Maximum allowable leaching concentration (MALC) for the beneficially usable, potentially usable and low risk classes are presented in the table at Section 817.106. Wastes exceeding the MALCs for the low risk class shall be regulated as chemical wastes under 35 Ill. Adm. Code 811.Subpart C.

Section 817.106 Waste Classification Limits

- a) Maximum allowable leaching concentrations (MALCs) (concentrations in mg/L):

Parameter	Beneficially Usable Wastes	Potentially Usable Wastes	Low Risk Wastes
(based on federal National Primary Drinking Water Standards)			
Arsenic	0.05	0.1	0.25
Barium	2.0	2.0	5.0
Cadmium	0.005	0.01	0.05
Chromium	0.1	0.2	0.25
Lead	0.0075	0.1	0.25
Nitrate	10.	20.	30.
Selenium	0.05	0.05	0.25
Fluoride	4.	4.	20.
Benzene	0.005	0.01	0.025
Carbon Tetrachloride	0.005	0.01	0.025
1,2-Dichloroethane	0.005	0.01	0.017
1,1-Dichloroethylene	0.007	0.014	0.035
cis-1,2-Dichloroethylene	0.07	0.14	0.35
trans-1,2-Dichloroethylene	0.1	0.2	0.5
1,2-Dichloropropane	0.005	0.01	0.025
Ethylbenzene	0.7	1.	3.5
Monochlorobenzene	0.1	0.2	0.5
Styrene	0.1	0.2	0.5
Tetrachloroethylene	0.005	0.01	0.025
Toluene	1.	2.	5.
1,1,1-Trichloroethane	0.2	0.4	1.
Trichloroethylene	0.005	0.01	0.025
Trihalomethanes (total)	0.1	0.2	0.5
Vinyl Chloride	0.002	0.004	0.01
Xylenes (total)	10.	10.	50.

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(based on federal National Secondary Drinking Water Standards)

Chloride	250.	250.	500.
Manganese	0.15	0.75	3.75
Copper	5.	5.	10.
Iron	5.	5.	15.
Sulfates	400.	400.	800.
Zinc	5.	10.	50.
Total Dissolved Solids (TDS)	1,200.	1,200.	3,500.

- b) The Agency, upon application by an owner or operator, may allow exceedences of any secondary standard provided that the applicant can make an adequate showing, using the groundwater impact assessment procedures of Section 817.413, that the limit increase will not result in an exceedence of the groundwater quality standards specified in Section 817.416.

Section 817.107 Waste Mining

- a) Owner or operator may mine landfills covered by this Part, including previously abandoned or closed units to recover usable materials, in accordance with this Section. The handling, storage, and ultimate use of the mined wastes shall conform with the requirements of this Part.
- b) Owner or operator shall develop a closure plan for the mined area. The closure plan shall be consistent with the closure requirements of Subpart C of this Part. The closure plan shall be submitted to the Agency prior to initiating mining activity.
- c) If the facility is conducting mining operations on the effective date of this rule, the owner or operator shall submit a closure plan to the Agency within 60 days after the effective date of this Part.
- d) If, during the mining operation, wastes are discovered in the landfill that exceed the MALCs for low risk wastes, the owner or operator shall amend the closure plan to ensure that the closure complies with the standards of 35 Ill. Adm. Code 814.402.
- e) If no waste is removed from the landfill for a period of greater than one year, the owner or operator shall initiate closure.
- f) Following completion of the mining activity, those portions of the landfill that were disturbed and that still contain waste shall be closed pursuant to the closure plan.
- g) No new wastes may be disposed of in the mined areas of the landfill during or after the mining operation unless provided for in the closure plan.

SUBPART B: STANDARDS FOR MANAGEMENT OF BENEFICIALLY USABLE STEEL AND FOUNDRY INDUSTRY WASTES

Section 817.201 Scope and Applicability

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The standards of this Subpart, along with 35 Ill. Adm. Code 811.101 and 811.102, shall apply to all steel and foundry industry wastes not exempt under Section 817.101 and which meet the MCLC limits for beneficially usable wastes provided in Section 817.106.

Section 817.202 Limitations on Use

- a) Wastes regulated by this Subpart may only be used as substitutes for commercially available materials including soil used for land reclamation purposes. Open dumps containing beneficial waste are prohibited.
- b) Stokers of wastes shall take all necessary precautions to ensure that the waste piles do not present a dust or runoff nuisance or produce violations of the Act or regulations promulgated pursuant thereto.
- c) Access to the open face of the beneficially usable waste storage area and all other areas within the boundaries of the facility shall be restricted to prevent unauthorized entry at all times.

Section 817.203 Notification

- a) The generator of wastes regulated by this Subpart, including persons conducting waste mining under 817.107, shall certify that the waste sent to an offsite beneficial use meets the Subpart A requirements for beneficial waste. A copy of the certification shall be attached to the Bill of Lading for each shipment.
- b) The generator of wastes regulated by this Subpart shall submit the following information to the Agency for each new recipient of the waste and for each new use location:
 - 1) A detailed description of the process generating the material;
 - 2) A demonstration that the proposed material handling activity will not cause a release or threat of release of contaminants to the air or water that will exceed standards promulgated by the Board or would adversely affect or impact human health or the environment;
 - 3) A physical description of the waste stream. This description should include information on size, shape, form, particle size, and volume of the waste;
 - 4) The analytical results of the leaching test completed pursuant to Section 817.103;
 - 5) A physical analysis of the waste including percent moisture, ignitability, corrosivity, solubility, and reactivity;
 - 6) Groundwater monitoring data, if available; and
 - 7) A description of the proposed use or reuse activity and site including location, special handling instructions, and estimated usage timetable.

Section 817.204 Long-Term Storage

- a) A storage pile that is regulated by this Subpart shall be closed as a

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landfill pursuant to the provisions of Subpart C of this Part unless the owner or operator can demonstrate that wastes have either been added to or removed from the unit within the preceding year. At a minimum, such demonstration shall include photographs, records or other observable or discernable information.

- b) An owner or operator of a storage pile may obtain up to a six month extension of the closure requirement from the Agency upon providing proof, in the form of a past or present sales contract or similar evidence, that a specific market for the material exists.

**SUBPART C: STEEL AND FOUNDRY INDUSTRY POTENTIALLY
USABLE WASTE LANDFILLS**

Section 817.301 Scope and Applicability

The standards of this Subpart, in addition to the requirements of 35 Ill. Adm. Code 811. Subpart A, shall apply to all landfills in which only potentially usable waste is to be placed. The landfills regulated by this Subpart may accept beneficially usable waste for disposal.

Section 817.302 Design Period

The design period for all potentially usable waste disposal units shall be the estimated operating life of the unit plus a minimum postclosure care period of five years. For landfills, other than those used exclusively for disposing waste generated at the site, the minimum postclosure care period, for purposes of monitoring setting at the site, shall be 15 years.

Section 817.303 Final Cover

Unless otherwise specified in a permit or other written Agency approval, a minimum of 0.46 meters (1.5 feet) of soil material that will support vegetation which prevents or minimizes erosion shall be applied over all disturbed areas.

Section 817.304 Final Slope and Stabilization

- a) The waste disposal unit shall be designed and constructed to achieve a minimum static slope safety factor of 1.5 and a minimum seismic safety factor of 1.3.
- b) Standards for vegetation:
 - 1) Vegetation shall be promoted on all reconstructed surfaces to minimize wind and water erosion;
 - 2) Vegetation shall be compatible with (i.e., grow and survive under) the local climatic conditions;
 - 3) Vegetation shall require little maintenance;
 - 4) Vegetation shall consist of a diverse mix of native and introduced species consistent with the postclosure land use; and
 - 5) Temporary erosion control measures, including, but not limited to, the application, alone or in combination, of mulch, straw,

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- netting, or chemical soil stabilizers, shall be undertaken while vegetation is being established.
- c) The landfill site shall be monitored for settling as specified in Section 817.302 in order to meet the requirements of this Section.

Section 817.305 Leachate Sampling

- a) All potentially usable waste landfills shall be designed to include a monitoring system capable of collecting representative samples of leachate generated by the waste, using methods such as, but not limited to, a pressure-vacuum lysimeter, trench lysimeter or a well point. The sampling locations shall be located so as to collect the most representative leachate samples. Samples will not be composited but analyzed individually.
- b) Leachate samples shall be collected and analyzed at least once every six months to determine, using the statistical procedures of 35 Ill. Adm. Code 811.320(e)(2) and (e)(3), whether the Section 817.106 limits for potentially usable waste have been exceeded.
- c) If the results of testing of leachate samples in accordance with subsection (b) above indicate that the organic chemical limits for potentially usable waste, as defined in Section 817.10, have not been exceeded for four consecutive sampling periods, the subsection (b) sampling frequency for organics shall be reduced to once every two years.
- d) If the results of testing of leachate samples in accordance with subsection (b) of this Section confirm that the leachate exceeds the limits for potentially usable waste as defined in Section 817.106, the operator shall:
- 1) notify the Agency in writing of this finding within 10 days following the finding;
 - 2) verify the exceedance by taking additional samples within 45 days after the initial observation;
 - 3) report the results of the verification sampling to the Agency within 60 days after the initial observation;
 - 4) determine the cause of the exceedance which may include, but not be limited to, the waste itself, natural phenomena, sampling or analysis errors, or an offsite source;
 - 5) notify the Agency in writing of a confirmed exceedance and provide the rationale used in such a determination within ten days after the determination; and
 - 6) if the exceedance is attributable to the landfill, return to a quarterly sampling program for organics until such time as the exceedances cease.
- e) If, as a result of further testing of the leachate pursuant to subsection (d)(2) of this Section and statistical analysis of the results in accordance with 35 Ill. Adm. Code 811.320(e), it is determined that the facility leachate exceeds the Section 817.106 limits for potentially usable waste, but does not exceed the limits for low risk waste, the facility shall:

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- 1) no longer be subject to the potentially usable waste landfill requirements of Subpart C of this Part;
 - 2) immediately be subject to the requirements for Low Risk Waste Landfills of 35 Ill. Adm. Code 814.602.
- f) If the results of the retesting completed pursuant to Section 817.305(d)(2) indicate that the leachate exceeds the Section 817.106 limits for low risk waste landfills, the facility shall:
- 1) no longer be subject to the potentially usable waste landfill requirements of Subpart C of this Part;
 - 2) immediately cease accepting waste;
 - 3) within 60 days, develop a closure plan that incorporates the requirements of 35 Ill. Adm. Code 811.320 Subpart C; and
 - 4) initiate closure within 90 days pursuant to a closure plan and complete closure within one year or pursuant to an alternate closure schedule that has been approved, in writing, by the Agency.
- g) The results of the chemical analysis tests shall be included in the quarterly groundwater reports submitted to the Agency in accordance with 35 Ill. Adm. Code 813.502 for permitted facilities and 35 Ill. Adm. Code 815.320 Subpart D for non-permitted facilities.

Section 817.306 Load Checking

- a) The operator shall not accept wastes for disposal at a potentially usable waste landfill unless the wastes are accompanied by documentation that they are potentially usable based on testing of the leachate from such wastes performed in accordance with the requirements of Subpart A of this Part.
- b) The operator shall institute and conduct a random load checking program at each potentially usable waste facility in accordance with the requirements of 35 Ill. Adm. Code 811.323, except that this program shall also be designed to:
- 1) detect and discourage attempts to dispose of non-potentially usable wastes at the landfill;
 - 2) require the facility's inspector to examine at least one random load of solid waste delivered to the landfill on a random day each week; and
 - 3) require the operator to test one randomly selected waste sample from each generator on an annual basis in accordance with Section 817.103(a) to determine if the waste is potentially usable as defined in this Part.
- c) The operator shall include the results of the load checking in the annual report submitted to the Agency in accordance with 35 Ill. Adm. Code 813.501 for permitted facilities and 35 Ill. Adm. Code 815.320 Subpart C for non-permitted facilities.

SUBPART D: NEW STEEL AND FOUNDRY INDUSTRY LOW RISK WASTE
LANDFILLS

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Section 817.401 Scope and Applicability

The standards of this Subpart, along with 35 Ill. Adm. Code 811.Subpart A, shall apply to all new landfills in which only steel and foundry industry low risk wastes are to be placed.

Section 817.402 Facility Location

- a) No part of a unit shall be located within a setback zone established pursuant to Section 14.2 or 14.3 of the Act.
- b) No part of a unit shall be located within the recharge zone or within 366 meters (1200 feet), vertically or horizontally, of a sole-source aquifer designated by the United States Environmental Protection Agency pursuant to Section 1424(e) of the Safe Drinking Water Act (42 U.S.C. 300h-3(e)), unless there is a stratum between the bottom of the waste disposal unit and the top of the aquifer that meets the following minimum requirements:
 - 1) The stratum has a minimum thickness of 15.2 meters (50 feet);
 - 2) The maximum hydraulic conductivity in both the horizontal and vertical directions is no greater than 1x10⁻⁷ centimeters per second, as determined by in situ borehole or equivalent tests;
 - 3) There is no indication of continuous sand or silt seams, faults, fractures or cracks within the stratum that may provide paths for migration; and
 - 4) Age dating of extracted water samples from both the aquifer and the stratum indicates that the time of travel for water percolating downward through the relatively impermeable stratum is no faster than 15.2 meters (50 feet) in 100 years.
- c) A facility located within 152 meters (500 feet) of the right of way of a township or county road or state or interstate highway shall have its operations screened from view by a barrier of natural objects, fences, barricades, or plants no less than 2.44 meters (8 feet) in height.
- d) No part of a unit shall be located closer than 152 meters (500 feet) from an occupied dwelling, school, or hospital that was occupied on the date when the operator first applied for a permit to develop the unit or the facility containing the unit, unless the owner of such dwelling, school, or hospital provides permission to the operator, in writing, for a closer distance.

Section 817.403 Design Period

The design period for low risk waste disposal units shall be the estimated operating life plus 20 years.

Section 817.404 Foundation and Mass Stability Analysis

- a) The material beneath the unit shall have sufficient strength to support the weight of the unit during all phases of construction and

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operation. The loads and loading rate shall not cause or contribute to the failure of the liner.

- b) The total settlement or swell of the foundation shall not cause or contribute to the failure of the liner.
- c) The solid waste disposal unit shall be designed to achieve a safety factor against bearing capacity failure of at least 2.0 under static conditions and 1.5 under seismic loadings.
- d) The waste disposal unit shall be designed to achieve a factor of safety against slope failure of at least 1.5 for static conditions and 1.3 under seismic loading.
- e) In calculating factors of safety, both long term (in tens or hundreds of years) and short term (over the design period of the facility) conditions expected at the facility shall be considered.
- f) The potential for earthquake or blast induced liquefaction, and its effect on the stability and integrity of the unit, shall be considered and taken into account in the design. The potential for landslides or earthquake induced liquefaction outside the unit shall be considered if such events could affect the unit.

Section 817.405 Foundation Construction

- a) If the in situ material provides insufficient strength to meet the requirements of Section 817.404, then the insufficient material shall be removed and replaced with clean materials sufficient to meet the requirements of Section 817.404.
- b) All trees, stumps, roots, boulders and debris shall be removed.
- c) All material shall be compacted to achieve the strength and density properties necessary to demonstrate compliance with this Part in conformance with a construction quality assurance plan pursuant to 35 Ill. Adm. Code 811.Subpart E.
- d) Placement of frozen soil or soil onto frozen ground is prohibited.
- e) The foundation shall be constructed and graded to provide a smooth, workable surface on which to construct the liner.

Section 817.406 Liner Systems

- a) All units shall be equipped with a leachate drainage and collection system and a compacted earth liner designed as an integrated system in compliance with the requirements of this Section and of Sections 817.407 and 817.408
- b) The liner and leachate collection system shall be stable during all phases of construction and operation. The side slopes shall achieve a minimum static safety factor of 1.3 and a minimum seismic safety factor of 1.0 at all times.
- c) The liner shall be designed to function for the entire design period.
- d) Compacted earth liner standards:
 - 1) The minimum allowable thickness shall be 0.91 meters (3.0 feet).
 - 2) The liner shall be compacted to achieve a maximum hydraulic conductivity of 1x10⁻⁷ centimeters per second.

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- 3) The construction and compaction of the liner shall be carried out in accordance with the construction quality assurance procedures of 35 Ill. Adm. Code 811.Subpart E so as to reduce void spaces and allow the liner to support the loadings imposed by the waste disposal operation without settling that causes or contributes to the failure of the leachate collection system.

- 4) The liner shall be constructed from materials whose properties are not affected by contact with the constituents of the leachate expected to be produced.

- e) Slurry trenches and cutoff walls used to prevent migration of leachate:

- 1) Slurry trenches and cutoff walls built to contain leachate migration shall be used only in conjunction with a compacted earth liner meeting the requirements of subsection (d) above or as part of a remedial action required by 35 Ill. Adm. Code 811.319.

- 2) Slurry trenches and cutoff walls shall extend into the bottom confining layer to a depth that will establish and maintain a continuous hydraulic connection and prevent seepage.

- 3) Exploration borings shall be drilled along the route of the slurry trench or cutoff wall to confirm the depth to the confining layer. In situ tests shall be conducted to determine the hydraulic conductivity of the confining layer.

- 4) Slurry trenches and cutoff walls shall be stable under all conditions during the design period of the facility. They shall not be susceptible to displacement or erosion under stress or hydraulic gradient.

- 5) Slurry trenches and cutoff walls shall be constructed in conformance to a construction quality assurance plan, pursuant to 35 Ill. Adm. Code 811.Subpart E, that insures that all material and construction methods meet design specifications.

- f) The owner or operator may utilize liner configurations other than those specified in this Section, special construction techniques, and admixtures, provided that:

- 1) The alternative technology or material provides equivalent, or superior, performance to the requirements of this Section;
- 2) The technology or material has been successfully utilized in at least one application or pilot facility similar to the proposed application;
- 3) Methods for manufacturing quality control and construction quality assurance can be implemented; and
- 4) The owner or operator has received written approval from the Agency prior to the start of construction.

Section 817.407 Leachate Drainage System

- a) The leachate drainage system shall be designed and constructed to be capable of operation throughout the entire design period.
- b) The system shall be designed in conjunction with the leachate

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collection system required by Section 817.408:

- 1) To maintain a maximum head of leachate 3.0 meters (10 feet) above the liner; and
- 2) To operate during the month when the highest average monthly precipitation occurs and, if the liner bottom is located within the saturated zone, under the condition that the groundwater table is at its seasonal high level. In addition, the following design assumptions shall apply:

- A) The unit is assumed to be at field capacity; and
- B) The final cover is in place.

- c) A drainage layer shall overlay the entire liner system. This drainage layer shall be no less than 0.30 meter (one foot) thick and shall have a hydraulic conductivity equal to or greater than 1x10⁻³ centimeters per second.

- d) The drainage layer shall be designed to maintain laminar flow throughout the drainage layer under the conditions described in subsection (b).

- e) The drainage layer shall be designed with a graded filter or geotextile as necessary to minimize clogging and prevent intrusion of fine material.

- f) Materials used in the leachate collection system shall be chemically resistant to the wastes and the leachate expected to be produced.

Section 817.408 Leachate Collection System

- a) The leachate collection system shall be designed and constructed to function for the entire design period.

- b) Collection pipes shall be designed for open channel flow to convey leachate under the conditions established in Section 817.407(b).

- c) Collection pipes shall be of a cross-sectional area that allows cleaning.

- d) Materials used in the leachate collection system shall be chemically resistant to the waste and the leachate expected to be produced.

- e) The collection pipe material and bedding materials as placed shall possess structural strength to support the maximum loads imposed by the overlying materials and equipment used at the facility.

- f) Collection pipes shall be constructed within a coarse gravel envelope using a graded filter or geotextile as necessary to minimize clogging.

- g) The system shall be equipped with a sufficient number of manholes and cleanout risers to allow cleaning and maintenance of all pipes throughout the design period.

Section 817.409 Leachate Treatment and Disposal System

- a) Leachate shall be removed from the drainage and collection system when the leachate level in the landfill interferes with landfill operations or exceeds ten feet, or when the unit is subject to assessment monitoring in accordance with Section 817.415(b). The operator is responsible for the operation of a leachate management system designed

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to handle all leachate removed from the collection system. The leachate management system shall consist of any combination of storage, treatment, pretreatment, and disposal options designed and constructed in compliance with the requirements of this Section.

b) The leachate management system shall consist of any combination of multiple treatment and storage structures, to allow the management and disposal of leachate during routine maintenance and repairs.

c) Standards for on-site treatment and pretreatment:

- 1) All on-site treatment or pretreatment systems shall be considered part of the facility.
- 2) The on-site treatment or pretreatment system shall be designed in accordance with the expected characteristics of the leachate. The design may include modifications to the system necessary to accommodate changing leachate characteristics.
- 3) The on-site treatment or pretreatment system shall be designed to function for the entire design period.
- 4) All of the facility's unit operations, tanks, ponds, lagoons and basins shall be designed and constructed with liners or containment structures to control seepage to groundwater. The ponds, lagoons, and basins shall be inspected prior to use for cracks and settling and, if leachate is stored in them for more than 60 days, they shall be subject to groundwater monitoring pursuant to this Part.
- 5) All treated effluent discharged to waters of the State shall meet the requirements of 35 Ill. Adm. Code 309.
- 6) The treatment system shall be operated by an operator certified under the requirements of 35 Ill. Adm. Code 312.

d) Standards for leachate storage systems:

- 1) The leachate storage facility must be able to store a minimum of at least five days' worth of accumulated leachate at the maximum generation rate used in designing the leachate drainage system in accordance with Section 817.407. The minimum storage capacity may be built up over time and in stages, so long as the capacity for five consecutive days of accumulated leachate, during extreme precipitation conditions, is available at any time during the design period of the facility.
- 2) All leachate storage tanks shall be equipped with secondary containment systems equivalent to the protection provided by a clay liner 0.61 meter (2 feet) thick having a permeability no greater than 10-7 centimeters per second.
- 3) Leachate storage systems shall be fabricated from material compatible with the leachate expected to be generated and resistant to temperature extremes.
- 4) The leachate storage system shall not cause or contribute to a malodor.

e) Standards for discharge to an off-site treatment works:

- 1) Leachate may be discharged to an off-site treatment works that meets the following requirements:
 - A) All discharges of effluent from the treatment works shall

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meet the requirements of 35 Ill. Adm. Code 309.

- B) The treatment system shall be operated by an operator certified under the requirements of 35 Ill. Adm. Code 312.
- C) No more than 50 percent of the average daily influent flow can be attributable to leachate from the solid waste disposal facility. Otherwise, the treatment works shall be considered a part of the solid waste disposal facility.

2) The operator is responsible for securing permission from the off-site treatment works for authority to discharge to the treatment works.

3) All discharges to a treatment works shall meet the requirements of 35 Ill. Adm. Code 307 and 310.

4) Pumps, meters, valves and monitoring stations that control and monitor the flow of leachate from the unit and which are under the control of the operator shall be considered part of the facility and shall be accessible to the operator at all times.

5) Leachate shall be allowed to flow into the sewerage system at all times; however, if access to the treatment works is restricted or anticipated to be restricted for longer than five days, an alternative leachate management system shall be constructed in accordance with subsection (c) of this Section.

6) Where leachate is not directly discharged into a sewerage system, the operator shall provide storage capacity sufficient to transfer all leachate to an off-site treatment works. The storage system shall meet the requirements of subsection (d) of this Section.

f) Leachate monitoring:

- 1) Representative samples of leachate shall be collected from each unit and tested in accordance with subsection (f)(2) of this Section at a frequency of once per quarter. The frequency of testing may be changed to once per year for any monitored constituent, if it is not detected in the leachate for four consecutive quarters. However, if such a constituent is detected in the leachate, testing frequency shall return to a quarterly schedule and the constituent added to the groundwater monitoring program requirements of Section 817.415. In such case, the testing frequency shall remain on a quarterly schedule until such time as the monitored constituent has remained undetected for four additional quarters.

2) Leachate and discharges of leachate from units shall be monitored for constituents determined by the characteristics of the waste to be disposed of in the unit. They shall include, at a minimum:

- A) pH;
- B) Annually, the MALCs listed in Section 817.106 and the constituents listed in Section 817. Appendix A of this Part;
- C) Any other constituents listed in the operator's NPDES discharge permit, pursuant to 35 Ill. Adm. Code 304, or required by a publicly owned treatment works, pursuant to 35 Ill. Adm. Code 307 and 310; and

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- D) All of the indicator constituents chosen in accordance with Section 817.415(a)(2)(B) and used by the operator for groundwater monitoring.
- 3) The operator shall also monitor the leachate head within each unit.
- g) Time of operation of the leachate management system:
- 1) The operator shall collect and dispose of leachate for a minimum period of 5 years after closure until treatment is no longer necessary.
 - 2) Treatment is no longer necessary if the leachate constituents do not exceed the wastewater effluent standards in 35 Ill. Adm. Code 304.124, 304.125, and 304.126.
 - h) If the results of testing of leachate samples in accordance with subsection (f) above show that the leachate exceeds the limits for low risk waste as defined in Section 817.106, the operator shall:
 - 1) notify the Agency in writing of this finding within 10 days following the finding;
 - 2) verify the exceedance by taking additional samples within 45 days after the initial observation;
 - 3) report the results of the verification sampling to the Agency within 60 days after the initial observation;
 - 4) determine the source of the exceedance, which may include, but not be limited to, the waste itself, natural phenomena, sampling or analysis errors, or an offsite source, within 90 days after the initial observation; and
 - 5) notify the Agency in writing of a confirmed exceedance and provide the rationale used in such a determination within ten days after the determination.
 - i) If, as a result of further testing of the leachate and the background groundwater and analysis using the 35 Ill. Adm. Code 811.320(e) statistical procedure, it is determined that the facility leachate exceeds the Section 817.106 limits for low risk waste, the facility shall:
 - 1) no longer be subject to the low risk waste landfill requirements of Subpart C of this Part; and
 - 2) be subject to the requirements for chemical waste landfills of 35 Ill. Adm. Code 814.302.
 - j) Leachate sampling and analysis shall be completed in accordance with the standards of 35 Ill. Adm. Code 817.414(e)(1), (e)(3), (e)(4), and (e)(5).

Section 817.410 Final Cover System

- a) The unit shall be covered by a final cover consisting of a low permeability layer overlain by a final protective layer constructed in accordance with the requirements of this Section.
- b) Standards for the low permeability layer:
 - 1) Construction of a low permeability layer shall begin not later than 60 days after placement of the final lift of solid waste.

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- 2) The low permeability layer shall cover the entire unit and connect with the liner system.
- 3) The low permeability layer shall consist of any one of the following:
 - A) A compacted earth layer constructed in accordance with the following standards:
 - i) The minimum allowable thickness shall be 0.61 meters (2.0 feet).
 - ii) The layer shall be compacted to achieve a permeability of 1x(10⁻⁷) centimeters per second and minimize void spaces.
 - iii) Alternative specifications may be utilized provided that the performance of the low permeability layer is equal to or superior to the performance of a layer meeting the requirements of subsections (b)(3)(A)(i) and (b)(3)(A)(ii) above.
 - B) A geomembrane constructed in accordance with the following standards:
 - i) The geomembrane shall provide performance equal or superior to the compacted earth layer described in subsection (b)(3)(A) above.
 - ii) The geomembrane shall have strength to withstand the normal stresses imposed by the waste stabilization process.
 - iii) The geomembrane shall be placed over a prepared base free from sharp objects and other materials which may cause damage.
 - C) Any other low permeability layer construction techniques or materials, provided that they provide equivalent or superior performance to the requirements of this subsection.
- c) Standards for the final protective layer:
 - 1) The final protective layer shall cover the entire low permeability layer.
 - 2) The thickness of the final protective layer shall be sufficient to protect the low permeability layer from freezing and minimize root penetration of the low permeability layer, but shall not be less than 0.46 meter (1.5 feet).
 - 3) The final protective layer shall consist of soil material capable of supporting vegetation.
 - 4) The final protective layer shall be placed as soon as possible after placement of the low permeability layer to prevent desiccation, cracking, freezing or other damage to the low permeability layer.

Section 817.411 Hydrogeologic Site Investigations

- a) Purpose. The operator shall conduct a hydrogeologic investigation to develop hydrogeologic information for the following uses:
 - 1) Provide information to perform a groundwater impact assessment;

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and

- 2) Provide information to establish a groundwater monitoring system.
- b) General requirements:
 - 1) The investigation shall be conducted in a minimum of three phases prior to submission of any application to the Agency for a permit to develop and operate a landfill facility.
 - 2) The study area shall consist of the entire area occupied by the facility and any adjacent areas, if necessary for the purpose of the hydrogeological investigation set forth in subsection (a) above.
 - 3) All borings shall be sampled continuously at all recognizable points of geologic variation, except where non-continuous sampling can provide equivalent information, samples shall be obtained at intervals no greater than 1.52 meters (five feet) in homogeneous strata.
- c) Minimum requirements for a Phase I investigation:
 - 1) The operator shall conduct a Phase I investigation to develop the following information:
 - A) Climatic aspects of the study area;
 - B) The regional and study area geologic setting, including a description of the geomorphology and stratigraphy of the area;
 - C) The regional groundwater regime including water table depths and aquifer characteristics; and
 - D) Information for the purpose of designing a Phase II hydrogeologic investigation.
 - 2) Specific requirements:
 - A) The regional hydrogeologic setting of the unit shall be established by using material available from all possible sources, including, but not limited to, the Illinois State Water Survey, the Illinois Geological Survey, the Agency, other State and Federal organizations, water well drilling logs, and previous investigations.
 - B) A minimum of one continuously sampled boring shall be drilled on the site, as close as feasible to the geographic center, to determine if the available regional hydrogeologic setting information is accurate and to characterize the site-specific hydrogeology to the extent specified by this phase of the investigation. The boring shall extend at least 15.2 meters (50 feet) below the bottom of the uppermost aquifer or through the full depth of the confining layer below the uppermost aquifer, or to bedrock, if the bedrock is below the uppermost aquifer, whichever elevation is higher. The locations of any additional borings required under this subsection may be chosen by the investigator, but shall be sampled continuously.
- d) Minimum requirements for a Phase II hydrogeologic investigation (Phase II investigation):
 - 1) Information to be developed. Using the information developed in

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- the Phase I survey, a Phase II investigation shall be conducted to collect the site-specific information listed below as needed to augment data collected during the Phase I investigation and to prepare for the Phase III investigation:
- A) Structural characteristics and distribution of underlying strata, including bedrock;
 - B) Chemical and physical properties including, but not limited to, lithology, mineralogy, and hydraulic characteristics of underlying strata, including those below the uppermost aquifer;
 - C) Soil characteristics, including soil types, distribution, geochemical and geophysical characteristics;
 - D) The hydraulic conductivities of the uppermost aquifer and all strata above it;
 - E) The vertical extent of the uppermost aquifer; and
 - F) The direction and rate of groundwater flow.
- 2) Specific requirements:
 - A) One boring shall be located as close as feasible to the topographical high point, and another shall be located as close as feasible to the topographical low point of the study area.
 - B) At least one boring shall be at or near each corner of the site. Where the property is irregularly shaped, the borings shall be located near the boundary in a pattern and spacing necessary to obtain data over the entire study area.
 - C) Additional borings may be located at intermediate points at locations and spacings necessary to establish the continuity of the stratigraphic units.
 - D) Piezometers and groundwater monitoring wells shall be established to determine the direction and flow characteristics of the groundwater in all strata and extending down to the bottom of the uppermost aquifer. Groundwater samples taken from such monitoring wells shall be used to develop preliminary information needed for establishing background concentrations in accordance with subsection (e)(1)(G) of this Section.
 - E) Other methods may be utilized to confirm or accumulate additional information. Such methods may be used only as a supplement to, not in lieu of, site-specific boring information. Other methods include, but are not limited to, geophysical well logs, geophysical surveys, aerial photography, age dating, and test pits.
 - e) Minimum standards for a Phase III investigation:
 - 1) Using the information developed during the Phase I and Phase II investigations, the operator shall conduct a Phase III investigation. This investigation shall be conducted to collect or augment the site-specific information needed to carry out the following:
 - A) Verification and reconciliation of the information collected

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in the Phase I and II investigations;

- B) Characterization of potential pathways for contaminant migration;
 - C) Correlation of stratigraphic units between borings;
 - D) Continuity of petrographic features including, but not limited to, sorting, grain size distribution, cementation and hydraulic conductivity;
 - E) Identification of zones of potentially high hydraulic conductivity;
 - F) Identification of the confining layer, if present;
 - G) Concentrations of chemical constituents present in the groundwater and expected to appear in the leachate below the unit, down to the bottom of the uppermost aquifer, using a broad range of chemical analysis and detection procedures, such as gas chromatographic and mass spectrometric scanning. However, additional measurements and procedures shall be carried out to establish background concentrations, in accordance with Section 817.416(d), for any constituent which is listed in Section 817.106 (MCLCs) or Section 817-Appendix A of this Part and which is expected to appear in the leachate;
 - H) Characterization of the seasonal and temporal, naturally and artificially induced, variations in groundwater quality and groundwater flow; and
 - I) Identification of unusual or unpredicted geologic features, including: fault zones, fractures traces, facies changes, solution channels, buried stream deposits, cross cutting structures and other geologic features that may affect the ability of the operator to monitor the groundwater or predict the impact of the disposal facility on groundwater.
- 2) In addition to the specific requirements applicable to Phase I and II investigations, the operator shall collect information needed to meet the minimum standards of a Phase III investigation by using methods that may include, but are not limited to, excavation of test pits, additional borings located at intermediate points between boreholes placed during Phase I and II investigations, placement of piezometers and monitoring wells, and institution of procedures for sampling and analysis.
- f) The operator may conduct the hydrogeologic investigation in any number of alternative ways provided that the necessary information is collected in a systematic sequence consisting of at least three phases that is equal to or superior to the investigation procedures of this Section.

Section 817.412 Plugging and Sealing of Drill Holes

All drill holes, including exploration borings that are not converted into monitoring wells, monitoring wells that are no longer necessary to the operation of the site, and other holes that may cause or facilitate

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contamination of groundwater shall be sealed in accordance with the following standards:

- a) If not sealed or plugged immediately, the drill hole shall be covered to prevent injury to people or animals.
- b) All drill holes no longer intended for use shall be back-filled with materials that are compatible with the geochemistry of the site and with the leachate in sufficient quantities and in such a way as to prevent the creation of a pathway for contaminants to migrate.
- c) For drill holes in gravels and other permeable strata where a watertight seal is not necessary to prevent the creation of pathway, drill cuttings and other earthen materials may be utilized as backfill.
- d) All excess drilling mud, oil, drill cuttings, and any other contaminated materials uncovered during or created by drilling shall be disposed of in accordance with the requirements of 35 Ill. Adm. Code 700 through 749, 807, and 809 through 815.
- e) The operator shall restore the area around the drill hole to its original condition.

Section 817.413 Groundwater Impact Assessment

The impacts of the seepage of leachate from the unit shall be assessed in a systematic fashion using the techniques described in this Section

- a) Procedures for performing the groundwater impact assessment:
 - 1) The operator shall estimate the amount of seepage from the unit during operations which assume:
 - A) That the minimum design standards for slope configuration, cover, liner, leachate drainage, and collection system apply; and
 - B) That the actual design standards planned for the unit apply.Other designs for the unit may be used if determined by the operator to be appropriate to demonstrate the impacts to groundwater.
 - 2) The concentration of constituents in the leachate shall be determined from actual leachate samples from the waste or similar waste, or laboratory-derived extracts.
 - 3) The operator shall estimate the capability of the geology and hydrology beneath the unit to meet the groundwater quality standards of Section 817.416 at the edge of the zone of attenuation. The estimate shall be made in accordance with the following:
 - A) Determine the aquifer conductivity and gradient using the hydrogeologic information collected pursuant to Section 817.411. If the aquifer conductivity is 1×10^{-5} cm/sec or less, no further groundwater impact assessment is required;
 - B) Develop a conceptual groundwater flow model of the site to determine the soil units through which leachate constituents may migrate;
 - C) Determine the organic carbon content for soil units through

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which the leachate constituents may migrate;

- D) Determine the retardation factor for constituents of interest based on traditional hydrogeological methods;
- E) Determine MALC values for constituents of interest required to achieve compliance with the applicable groundwater quality standards specified at Section 817.416;
- F) Compare the calculated MALC values to the leachate values for the expected waste streams to determine whether compliance with groundwater standards can be met.
- b) Acceptable groundwater impact assessment. The groundwater impact shall be considered acceptable if the leachate values for the expected waste streams are less than the MALC values calculated in accordance with subsection 817.413(a)(3)(F).

Section 817.414 Design, Construction and Operation of Groundwater Monitoring Systems

- a) All potential sources of discharges to groundwater within the facility, including, but not limited to, all waste disposal units and the leachate management system, shall be identified and studied through a network of monitoring wells operated during the active life of the unit and for the time after closure specified in accordance with Section 817.415. Monitoring wells designed and constructed as part of the monitoring network shall be maintained along with records that include, but are not limited to, exact well location, well size, type of well, the design and construction practice used in its installation and well and screen depths.
- b) Standards for the location of monitoring points:
 - 1) A network of monitoring points shall be established at sufficient locations downgradient with respect to groundwater flow and not excluding the downward direction, to detect any discharge of contaminants from any part of a potential source of discharge.
 - 2) Monitoring wells shall be located in stratigraphic horizons that could serve as contaminant migration pathways.
 - 3) Monitoring wells shall be established as close to the potential source of discharge as possible without interfering with the waste disposal operations, and within half the distance from the edge of the potential source of discharge to the edge of the zone of attenuation downgradient, with respect to groundwater flow, from the source.
 - 4) The network of monitoring points of several potential sources of discharge within a single facility may be combined into a single monitoring network, provided that discharges from any part of all potential sources can be detected.
 - 5) A minimum of at least one monitoring well shall be established at the edge of the zone of attenuation and shall be located downgradient from the unit with respect to groundwater flow, and not excluding the downward direction. Such well or wells shall be used to monitor any statistically significant increase in the

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concentration of any constituent, in accordance with Section 817.416(e) and shall be used for determining compliance with an applicable groundwater quality standard of Section 817.416. An observed statistically significant increase above the applicable groundwater quality standards of Section 817.416 in a well located at or beyond the compliance boundary shall constitute a violation.

- c) Maximum allowable predicted concentrations. For the purposes of this Part, the maximum allowable predicted concentration (MAPC) for each monitored constituent shall be determined as follows:
 - 1) MAPCs for those constituents with a MALC identified as a primary standard shall be background plus 10 percent of the MALC. MAPCs for those constituents with a MALC identified as a secondary standard shall be background plus 50 percent of the MALC. The MAPCs calculated in this subsection shall be applicable within the zone of attenuation.
 - 2) For those constituents listed in Section 817.Appendix A of this Part, the MAPC shall be the practical quantitation limit (PQL) or, if the constituent's background concentration exceeds the PQL, the MAPC shall be the background constituent concentration.
- d) Standards for monitoring well design and construction:
 - 1) All monitoring wells shall be cased in a manner that maintains the integrity of the borehole. The casing material shall be inert so as not to affect the water sample. Casing requiring solvent-cement type coupling shall not be used.
 - 2) Wells shall be screened to allow sampling only at the desired interval. Annular space between the borehole wall and well screen section shall be packed with gravel sized to avoid clogging by the material in the zone being monitored. The slot size of the screen shall be designed to minimize clogging. Screens shall be fabricated from material expected to be inert with respect to the constituents of the groundwater to be sampled.
 - 3) Annular space above the well screen section shall be sealed with a relatively impermeable, expandable material such as a cement/bentonite grout, which does not react with or in any way affect the sample, in order to prevent contamination of samples and groundwater and avoid interconnections. The seal shall extend to the highest known seasonal groundwater level.
 - 4) The annular space shall be back-filled with expanding cement grout from an elevation below the frost line and mounded above the surface and sloped away from the casing so as to divert surface water away.
 - 5) The annular space between the upper and lower seals and in the unsaturated zone may be back filled with uncontaminated cuttings.
 - 6) All wells shall be covered with vented caps and equipped with devices to protect against tampering and damage.
 - 7) All wells shall be developed to allow free entry of water, minimize turbidity of the sample, and minimize clogging.

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8) The transmissivity of the zone surrounding all well screens shall be established by field testing techniques.

9) Other sampling methods and well construction techniques may be utilized if they meet the water well construction standards of 77 Ill. Adm. Code 920 or if the Agency has issued a written approval.

e) Standards for Sample Collection and Analysis

1) The groundwater monitoring program shall include consistent sampling and analysis procedures to assure that monitoring results can be relied upon to provide data representative of groundwater quality in the zone being monitored.

2) The operator shall utilize procedures and techniques to insure that collected samples are representative of the zone being monitored and that prevent cross contamination of samples from other monitoring wells or from other samples. At least 95 percent of a collected sample shall consist of groundwater from the zone being monitored.

3) The operator shall establish a quality assurance program that provides quantitative detection limits and the degree of error for analysis of each chemical constituent.

4) The operator shall establish a sample preservation and shipment procedure that maintains the reliability of the sample collected for analysis.

5) The operator shall institute a chain of custody procedure to prevent tampering and contamination of the collected samples prior to completion of analysis.

6) At a minimum, the operator shall sample the following parameters at all wells at the time of sample collection and immediately before filtering and preserving samples for shipment:

- A) The elevation of the water table;
- B) The depth of the well below ground;
- C) pH;
- D) The temperature of the sample; and
- E) Specific conductance.

Section 817.415 Groundwater Monitoring Programs

a) Detection monitoring program: Any use of the term "maximum allowable predicted concentration" or "MAPC" in this Section is a reference to Section 817.414(c), as defined in Section 811.102. The operator shall implement a detection monitoring program in accordance with the following requirements:

1) Monitoring schedule and frequency:

- A) The monitoring period shall begin as soon as waste is placed into the unit of a new landfill or within one year after August 1, 1994 for an existing landfill. Monitoring shall continue for a minimum period of fifteen years after closure or, in the case of landfills, other than those used exclusively for disposing waste generated at the site, a

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minimum of fifteen years after closure. The operator shall sample all monitoring points for all potential sources of contamination on a quarterly basis except as specified in subsection (a)(3) of this Section or may institute more frequent sampling throughout the time the source constitutes a threat to groundwater. For the purposes of this Section, the source shall be considered a threat to groundwater if the results of the monitoring indicate that the concentrations of any of the constituent monitored within the zone of attenuation are above the MAPC for that constituent.

B) Beginning five years after closure of the unit, or five years after all other potential sources of discharge no longer constitute a threat to groundwater, as defined in subsection (a)(1)(A) of this Section, the monitoring frequency may change on a well by well basis to an annual schedule if either of the conditions listed in subsection (a)(1)(B)(i) or (a)(1)(B)(ii) of this Section exist. However, monitoring shall return to a quarterly schedule at any well where a statistically significant increase is determined to have occurred in accordance with Section 817.416(e), in the concentration of any constituent with respect to the previous sample.

i) All constituents monitored within the zone of attenuation have returned to a concentration less than or equal to ten percent of the MAPC; or

ii) All constituents monitored within the zone of attenuation are less than or equal to their MAPC for eight consecutive quarters.

C) Monitoring shall be continued for a minimum period of five years after closure or, in the case of landfills, other than those used exclusively for disposing waste generated at the site, a minimum period of fifteen years after closure. Monitoring, beyond the minimum period, may be discontinued under the following conditions:

i) No statistically significant increase is detected in the concentration of any constituent above that measured and recorded during the immediately preceding scheduled sampling for three consecutive years, after changing to an annual monitoring frequency; or

ii) Immediately after contaminated leachate is no longer generated by the unit.

2) Criteria for choosing constituents to be monitored:

A) The operator shall monitor each well for constituents that will provide a means for detecting groundwater contamination. Constituents shall be chosen for monitoring if they meet the following requirements:

- i) The constituent appears in, or is expected to be in, the leachate; and

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ii) The Board has established a groundwater quality standard at 35 Ill. Adm. Code 620, or the constituent may otherwise cause or contribute to groundwater contamination.

B) One or more indicator constituents, representative of the transport processes of constituents in the leachate, may be chosen for monitoring in place of the constituents it represents. The use of such indicator constituents must be included in an Agency approved permit.

3) Organic chemicals monitoring:

A) The operator shall monitor each existing well that is being used as part of the monitoring well network at the facility within one year after August 1, 1994, and monitor each new well within three months after its establishment. The monitoring required by this subsection shall be for the organic chemicals listed in Section 817. Appendix A of this Part. The analysis shall be at least as sensitive as the procedures provided at 40 CFR 141.40 (1992), incorporated by reference at 35 Ill. Adm. Code 810.104.

B) At least once every two years, the operator shall monitor each well in accordance with subsection (a)(3)(A) of this Section.

4) Confirmation of monitored increase:

A) The confirmation procedures of this Section shall be used only if the concentrations of the constituents monitored can be measured at or above the practical quantitation limit (PQL). The PQL is defined as the lowest concentration that can be reliably measured within specified limits of precision and accuracy under routine laboratory operating conditions. The operator shall institute the confirmation procedures of subsection (a)(4)(B) after notifying the Agency in writing, within 10 days, of the following observed increases:

- i) The concentration of any constituent monitored in accordance with subsections (a)(1) and (a)(2) of this Section shows a progressive increase over four consecutive quarters;
 - ii) The concentration of any constituent exceeds the MAPC at an established monitoring point within the zone of attenuation;
 - iii) The concentration of any constituent monitored in accordance with subsection (a)(3) of this Section exceeds the preceding measured concentration at any established monitoring point; and
 - iv) The concentration of any constituent monitored at or beyond the zone of attenuation exceeds the applicable groundwater quality standards of Section 817.416.
- B) The confirmation procedures shall include the following:
- i) The operator shall verify any observed increase by

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taking additional samples within 45 days after the initial observation and ensure that the samples and sampling protocol used will detect any statistically significant increase in the concentration of the suspect constituent in accordance with 35 Ill. Adm. Code 811.320(e), so as to confirm the observed increase. The operator shall notify the Agency of any confirmed increase before the end of the next business day following the confirmation. The verification procedure shall be completed within 90 days after the initial sampling event.

ii) The operator shall determine the source of any confirmed increase, which may include, but shall not be limited to, natural phenomena, sampling or analysis errors, or an off-site source.

iii) The operator shall notify the Agency in writing of any confirmed increase and state the source of the confirmed increase and provide the rationale used in such a determination within ten days after the determination.

b) Assessment monitoring. The operator shall begin an assessment monitoring program in order to confirm the source of the contamination and to provide information needed to carry out a groundwater impact assessment in accordance with subsection (c) of this Section. The assessment monitoring program shall be conducted in accordance with the following requirements:

1) The assessment monitoring shall be conducted to collect information to assess the nature and extent of groundwater contamination, which shall consist of, but not be limited to, the following steps:

- A) More frequent sampling of the wells in which the observation occurred;
- B) More frequent sampling of any surrounding wells;
- C) The placement of additional monitoring wells to determine the source and extent of the contamination;
- D) Monitoring of additional constituents to determine the source and extent of contamination; and
- E) Any other investigative techniques that will assist in determining the nature and extent of the contamination.

2) The operator of the facility for which assessment monitoring is required shall file the plans for an assessment monitoring program with the Agency. If the facility is permitted by the Agency, then the plans shall be filed for review as a significant permit modification pursuant to 35 Ill. Adm. Code 813.Subpart B. The assessment monitoring program shall be implemented within 90 days after confirmation of any monitored increase in accordance with subsection (a)(4) of this Section or, in the case of permitted facilities, within 90 days after the Agency approval. The assessment monitoring program shall be filed with the Agency

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within 20 days after an observed increase, as defined in Section 817.415(a)(4)(B)(iii).

- 3) If the analysis of the assessment monitoring data shows that the concentration of one or more constituents, monitored at or beyond the zone of attenuation, is above the applicable groundwater quality standards of Section 817.416 and is attributable to the solid waste disposal facility, the operator shall determine the nature and extent of the groundwater contamination, including an assessment of the continued impact on the groundwater should additional waste continue to be accepted at the facility, and shall implement remedial action in accordance with subsection (d) of this Section.

- 4) If the analysis of the assessment monitoring data shows that the concentration of one or more constituents is attributable to the solid waste disposal facility and exceeds the MAPC within the zone of attenuation, then the operator shall conduct a groundwater impact assessment in accordance with the requirements of subsection (c) of this Section.

- c) Assessment of potential groundwater impact. An operator required to conduct a groundwater impact assessment in accordance with subsection (b)(4) of this Section shall assess the potential impacts outside the zone of attenuation that may result from confirmed increases above the MAPC within the zone of attenuation, attributable to the facility, in order to determine if there is need for remedial action.

- 1) The operator shall utilize any new information developed since the initial assessment and information from the detection and assessment monitoring programs and such information shall be used to develop a groundwater contaminant transport (GCT) model in accordance with 35 Ill. Adm. Code 811.317(c); and
- 2) The operator shall submit the groundwater impact assessment, GCT modeling and results, and any proposed remedial action plans determined necessary pursuant to subsection (d) to the Agency within 180 days after the start of the assessment monitoring program.

d) Remedial action:

- 1) The operator shall submit plans for the remedial action to the Agency. Such plans and all supporting information including data collected during the assessment monitoring shall be submitted within 90 days after determination after either of the following:
 - A) The groundwater impact assessment performed in accordance with subsection (c) indicates that remedial action is needed; or
 - B) Any confirmed increase above the applicable groundwater quality standards of Section 817.416 is determined to be attributable to the solid waste disposal facility in accordance with subsection (b).
- 2) If the facility has been issued a permit by the Agency, then the operator shall submit this information as an application for significant modification to the permit.

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- 3) The operator shall implement the plan for remedial action within 90 days after the following:
 - A) Completion of the groundwater impact assessment under subsection (c) that requires remedial action;
 - B) Establishing that a violation of an applicable groundwater quality standard of Section 817.416 is attributable to the solid waste disposal facility in accordance with subsection (b)(3) above; or
 - C) Agency approval of the remedial action plan, where the facility has been permitted by the Agency.

- 4) The remedial action program shall consist of one or a combination of the following solutions to meet the requirements of subsection (d)(5) of this Section in a timely and appropriate manner:
 - A) Retrofit additional groundwater protective measures within the unit;
 - B) Construct an additional hydraulic barrier, such as a cutoff wall or slurry wall system;
 - C) Pump and treat the contaminated groundwater; or
 - D) Any other Agency approved equivalent technique which will prevent further contamination of groundwater.

5) Termination of the remedial action program:

- A) The remedial action program shall continue in accordance with the plan until monitoring shows that the concentrations of all monitored constituents are below the MAPC within the zone of attenuation, and below the applicable groundwater quality standards of Section 817.416 at or beyond the zone of attenuation, over a period of 4 consecutive quarters.
- B) The operator shall submit to the Agency all information collected under subsection (d)(5)(A). If the facility is permitted, the operator shall submit this information as an application for significant modification of the permit.

Section 817.416 Groundwater Quality Standards

a) Applicable groundwater quality standards:

- 1) Groundwater quality shall be maintained at each constituent's applicable groundwater quality standard at or beyond the zone of attenuation. The applicable groundwater quality standard established for any constituent shall be:
 - A) The Board established standard; or
 - B) The Board established standard adjusted by the Board in accordance with the justification procedure of subsection (b) of this Section; or
 - C) For those constituents where no Board established standard exists, the background concentration.
- 2) Any statistically significant increase above an applicable groundwater quality standard established pursuant to subsection (a)(1) that is attributable to the facility and which occurs at or beyond the zone of attenuation within 100 years after closure

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of the last unit accepting waste within such a facility shall constitute a violation.

3) For the purposes of this Part:

- A) "Background concentration" means that concentration of a constituent that is established as the background in accordance with subsection (d).
- B) "Board-established standard" is the concentration of a constituent adopted by the Board as a groundwater quality standard under 35 Ill. Adm. Code 620.

b) Justification for adjusted groundwater quality standards:

- 1) An operator may petition the Board for an adjusted groundwater quality standard in accordance with the procedures specified in Section 28.1 of the Act and 35 Ill. Adm. Code 106.410 through 106.416.
- 2) For groundwater which contains naturally occurring constituents which do not meet the standards of 35 Ill. Adm. Code 620, the Board will specify adjusted groundwater quality standards, upon a demonstration by the operator that:

- A) The groundwater does not presently serve as a source of drinking water;
- B) The change in standards will not interfere with, or become injurious to, any present or potential beneficial uses for such waters;
- C) The change in standards is necessary for economic or social development, by providing information including, but not limited to, the impacts of the standards on the regional economy, social disbenefits such as loss of jobs or closing of landfills, and economic analysis contrasting the health and environmental benefits with costs likely to be incurred in meeting the standards; and
- D) The groundwater cannot presently, and will not in the future, serve as a source of drinking water because:
 - i) It is impossible to remove water in usable quantities;
 - ii) the groundwater is situated at a depth or location such that recovery of water for drinking purposes is not technologically feasible or economically reasonable;
 - iii) The groundwater is so contaminated that it would be economically or technologically impractical to render that water fit for human consumption;
 - iv) The total dissolved solids content of the groundwater is more than 3,000 mg/l and the water will not be used to serve a public water supply system; or
 - v) The total dissolved solids content of the groundwater exceeds 10,000 mg/l.

c) Determination of the zone of attenuation.

- 1) The zone of attenuation, within which concentrations of constituents in leachate discharged from the unit may exceed the applicable groundwater quality standard of this Section, is a

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volume bounded by a vertical plane at the property boundary or 100 feet from the edge of the unit, whichever is less, extending from the ground surface to the bottom of the uppermost aquifer and excluding the volume occupied by the waste.

- 2) Zones of attenuation shall not extend to the annual high water mark of navigable surface waters.
- 3) Overlapping zones of attenuation from units within a single facility may be combined into a single zone for the purposes of establishing a monitoring network.

d) Establishment of background concentrations:

- 1) The initial monitoring to determine background concentrations shall commence during the hydrogeological assessment required by Section 817.411. The background concentrations for those parameters identified in Sections 817.411(e)(1)(C) and 817.415(a)(2) and (a)(3) shall be established based on quarterly sampling of wells for one year, monitored in accordance with the requirements of subsections (d)(2), (d)(3), and (d)(4) of this Section, which may be adjusted during the operation of a facility. Statistical tests and procedures shall be employed, in accordance with subsection (e) below, depending on the number, type and frequency of samples collected from the wells, to establish the background concentrations. Adjustments to the background concentrations shall be made only if changes in the concentrations of constituents observed in upgradient wells over time are determined, in accordance with subsection (d)(3) below, to be statistically significant. Background concentrations determined in accordance with this subsection shall be used for the purposes of establishing groundwater quality standards, in accordance with subsection (a) above. The operator shall prepare a list of background concentrations established in accordance with this subsection. The operator shall maintain such a list at the facility, shall submit a copy of the list to the Agency for establishing standards in accordance with subsection (a), and shall provide updates to the list within ten days after any change to the list.
- 2) A network of monitoring wells shall be established upgradient from the unit, with respect to groundwater flow, in accordance with the following standards, in order to determine the background concentrations of constituents in the groundwater:
 - A) The wells shall be located at such a distance that discharges of contaminants from the unit will not be detectable but will be representative of groundwater immediately upgradient of the unit;
 - B) The wells shall be sampled at the same frequency as other monitoring points to provide continuous background concentration data, throughout the monitoring period; and
 - C) The wells shall be located at several depths to provide data on the spatial variability.
- 3) A determination of background concentrations may include the

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sampling of wells that are not hydraulically upgradient of the waste unit where:

- A) Hydrogeologic conditions do not allow the owner or operator to determine what wells are hydraulically upgradient of the waste; and
 - B) Sampling at other wells will provide an indication of background concentrations that is representative of that which would have been provided by upgradient wells.
- 4) If background concentrations cannot be determined on site, then alternative background concentrations may be determined from actual monitoring data from the aquifer of concern, obtained from sample points located as close as is reasonably possible to the site.

e) Statistical analysis of groundwater monitoring data:

- 1) Statistical tests shall be used to analyze groundwater monitoring data. One or more of the normal theory statistical tests listed in subsection (e)(4) below shall be chosen first for analyzing the data set or transformation of the data set. Where such normal theory tests are demonstrated to be inappropriate, tests listed in subsection (e)(5) or a test in accordance with subsection (e)(6) shall be used. For any statistical test chosen from subsections (e)(4) or (e)(5), the level of significance (Type I error level) shall be no less than 0.01, for individual well comparisons, and no less than 0.05, for multiple well comparisons. The statistical analysis shall include, but not be limited to, the accounting of data below, the detection limit of the analytical method used, the establishment of background concentrations and the determination of whether statistically significant changes have occurred in:

- A) The concentration of any chemical constituent with respect to the background concentration or MAPC; and
- B) The established background concentration of any chemical constituents over time.

- 2) The statistical test or tests used shall be based upon the sampling and collection protocol of Sections 817.414 and 817.415.
- 3) Monitored data that are below the level of detection shall be reported as not detected (ND). The level of detection for each constituent shall be the minimum concentration of that constituent which can be measured and reported with 99 percent confidence that the true value is greater than zero, which is defined as the method detection limit (MDL). The following procedures shall be used to analyze such data, unless an alternative procedure in accordance with subsection (e)(6) is shown to be applicable:

- A) Where the percentage of nondetects in the data base used is less than 15 percent, the operator shall replace NDs with the MDL divided by two, then proceed with the use of one or more of the Normal Theory statistical tests listed in subsection (e)(4);

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- B) Where the percentage of nondetects in the data base or data transformations used is between 15 and 50 percent, and the data are normally distributed, the operator shall use Cohen's adjustment to the sample mean and standard deviation, followed by one or more of the tests listed in subsection (e)(4)(C) of this Section. However, where data are not normally distributed, the operator shall use an applicable nonparametric test from subsection (e)(5);
- C) Where the percentage of nondetects in the data base used is above 50 percent, then the owner or operator shall use the test of proportions listed in subsection (e)(4).

4) Normal theory statistical tests:

- A) Student t-test including, but not limited to, Cochran's Approximation to the Behren-Fisher (CABF) t-test and Averaged Replicate (AR) t-test.
- B) Parametric analysis of variance (ANOVA) followed by one or more of the multiple comparison procedures including, but not limited to, Fisher's Least Significant Difference (LSD), Student Newman-Kuel procedure, Duncan's New Multiple Range Test and Tukey's W procedure.
- C) Control Charts, Prediction Intervals and Tolerance Intervals, for which the Type I error levels shall be specified by the Agency in accordance with the requirements of 35 Ill. Adm. Code 724.197(i).
- 5) Nonparametric statistical tests shall include: Mann-Whitney U-test, Kruskal-Wallis test, a nonparametric analysis of variance (ANOVA) for multiple comparisons or the Wilcoxon Rank Sum test.
- 6) Any other statistical test based on the distribution of the sampling data may be used, if it is demonstrated to meet the requirements of 35 Ill. Adm. Code 724.197(i).

Section 817.417 Waste Placement

a) Phasing of operations:

- 1) Waste disposal operations shall move from the lowest portions of the unit to the highest portions. Except as provided in subsection (a)(2) of this Section, the placement of waste shall begin in the lowest part of the active face of the unit, located in the part of the facility most downgradient with respect to groundwater flow.
- 2) The operator may dispose of wastes in areas other than those specified in subsection (a)(1) above only under any of the following conditions:
 - A) Climatic conditions, such as wind and precipitation, are such that the placement of waste in the bottom of the unit would cause water pollution, litter, damage to any part of the liner or damage to equipment;
 - B) The topography of the land surrounding the unit makes the procedure of subsection (a)(1) environmentally unsound, for

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- example, because steep slopes surround the unit;
- C) When groundwater monitoring wells, constructed in accordance with the requirements of 35 Ill. Adm. Code 811.319, are placed 50 feet or less down gradient from the filled portions of the unit; or
- D) Equipment required for placement is temporarily unavailable.
- b) Initial waste placement:
- 1) Construction, compaction and earth moving equipment shall be prohibited from operating directly on the leachate collection piping system until a minimum of five feet of waste has been placed over system.
 - 2) Construction, compaction and earth moving equipment shall be prohibited from operating directly on the leachate drainage blanket. Waste disposal operations shall begin at the edge of the drainage layer by carefully pushing waste out over the drainage layer.
 - 3) An initial layer of waste, a minimum of five feet thick, shall be placed over the entire liner as soon as is practicable after construction, but prior to the onset of weather conditions that may cause the compacted earth liner to freeze.
 - 4) Waste shall not be placed over areas that are subject to freezing conditions until the liner has been inspected, tested, and reconstructed (if necessary) to meet the requirement of 35 Ill. Adm. Code 811.306.

Section 817.418 Final Slope and Stabilization

- a) All final slopes shall be designed and constructed to a grade capable of supporting vegetation and which minimizes erosion.
- b) All slopes shall be designed to drain runoff away from the cover and which prevents ponding. No standing water shall be allowed anywhere in or on the unit.
- c) Vegetation:
 - 1) Vegetation shall be promoted on all reconstructed surfaces to minimize wind and water erosion of the final protective cover;
 - 2) Vegetation shall be compatible with the climatic conditions;
 - 3) Vegetation shall require little maintenance;
 - 4) Vegetation shall consist of a diverse mix of native and introduced species that is consistent with the postclosure land use;
 - 5) Vegetation shall be tolerant of the landfill gas expected to be generated;
 - 6) The root depth of the vegetation shall not exceed the depth of the final protective cover system; and
 - 7) Temporary erosion control measures, including but not limited to mulch straw, netting and chemical soil stabilizers, shall be undertaken while vegetation is being established.
- d) Structures constructed over the unit:
 - 1) Structures constructed over the unit must be compatible with the

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- land use;
- 2) Such structures must in no way interfere with the operation of a cover system, leachate collection system or any monitoring system.

Section 817.419 Load Checking

- a) The operator shall not accept wastes for disposal at an offsite low risk waste landfill unless it is accompanied by documentation that such wastes are low risk wastes based on testing of the leachate from such wastes performed in accordance with the requirements of Section 817.103.
- b) The operator shall institute and conduct a random load checking program at each low risk waste facility in accordance with the requirements of 35 Ill. Adm. Code 811.323, except that this program shall also be designed to:
 - 1) detect and discourage attempts to dispose non-low risk wastes at the landfill;
 - 2) require the facility's inspector to examine at least one random load of solid waste delivered to the landfill on a random day each week; and
 - 3) require the operator to test one randomly selected waste sample in accordance with Section 817.103(a) and (b) to determine if the waste is low risk.
- c) The operator shall include the results of the load checking in the Annual Report submitted to the Agency in accordance with 35 Ill. Adm. Code 815.Subpart C for nonpermitted facilities.

SUBPART E: CONSTRUCTION QUALITY ASSURANCE PROGRAMS

Section 817.501 Scope and Applicability

All structures necessary to comply with the requirements of this Part shall be constructed according to a construction quality assurance program that, at a minimum, meets the requirements of 35 Ill. Adm. Code 811.Subpart E.

Section 817.APPENDIX A Organic Chemical Constituents List

1. Acenaphthene
2. 1,2,4-Trichlorobenzene
3. 2,4,6-Trichlorophenol
4. 2-Chlorophenol
5. 2,4-Dichlorophenol
6. 2,4-Dimethylphenol
7. Fluoranthene
8. Trichlorofluoromethane
9. Naphthalene
10. Nitrobenzene
11. 4-Nitrophenol

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12. 2,4-Dinitrophenol
13. 4,6-Dinitro-o-cresol
14. n-Nitrosodiphenylamine
15. Pentachlorophenol
16. Phenol
17. bis-(2-ethylhexyl) phthalate
18. Butyl benzyl phthalate
19. Di-n-butyl phthalate
20. Di-n-octyl phthalate
21. Dimethyl phthalate
22. Benzo (a) anthracene
23. Chrysene
24. Acenaphthene
25. Anthracene
26. Fluorene
27. Phenanthrene
28. Pyrene
29. Formaldehyde
30. Formic acid
31. Methanol
32. Methyl ethyl ketone
33. Methyl isobutyl ketone
34. Carbon disulfide
35. Isobutanol
36. Pyridine
37. Chloroform
38. Methylene chloride
39. Methyl chloride
40. Paraldehyde
41. Chloroacetaldehyde
42. Phorate
43. Phosphorodithioic acid
44. Phosphorodithioic acid esters
45. Toluene diisocyanate
46. Urethane
47. Maleic anhydride
48. Benzo(a)pyrene
49. Cresol
50. Acetaldehyde
51. Phthalic acid esters
52. Acetone
53. Benzoic acid
54. 2-Methylnaphthalene
55. sec-Butylbenzene
56. Diethylbenzenes
57. Dimethylnaphthalenes
58. p-Ethyltoluene
59. n-Hexane
60. Isopropylbenzene

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61. 1- & 2-Methylnaphthalene
62. 1,2,4-Trimethylbenzene
63. 1,3,5-Trimethylbenzene
64. t-Butylbenzene

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: SOLID WASTE
- 2) Code Citation: 35 Ill. Adm. Code 807
- 3) Section Numbers: Adopted Action:
807.105 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021, 1021.1, 1022, 1022.17 and 1027 [415 ILCS 5/5, 5/21, 5/21.1, 5/22, 5/22.17, and 5/27].
- 5) Effective Date of Amendments: August 1, 1994
- 6) Does this rulemaking contain an automatic repeal date?: No.
- 7) Do these proposed amendments contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: July 21, 1994
- 9) Notice of proposal published in Illinois Register: October 15, 1993 at 17 Ill. Reg. 17703.
- 10) Has JCAR Issued a Statement of Objection to These Proposed Amendments: No
- 11) Differences between proposal and final revisions: Typo correction in source note.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? None issued.
- 13) Will these proposed amendments replace emergency amendments currently in effect? No.
- 14) Are there any other amendments pending on this Part? No.
- 15) Summary and Purpose of the Rule:

A more detailed description is contained in the Board's opinion and order of July 21, 1994 in R90-23, which opinion and order is available from the address below.

On August 17, 1990, in R88-7, the Board adopted extensive regulations at 35 Ill. Adm. Code 810 through 815 and amendments to the existing regulations at 35 Ill. Adm. Code 807 to govern the landfill disposal of non-hazardous waste. See 14 Ill. Reg. 15785 (Part 812), 15817 (Part 815), 15814 (Part 813), 15850 (Part 814), 15832 (Part 807), 15838 (Part 810), and 15861 (Part 811) (effective Sept. 18, 1990). As Part of that extensive rulemaking proceeding, the Board provided at 35 Ill. Adm. Code

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811.101(b) that the regulations would have a limited applicability to landfills that disposed exclusively of wastes generated by foundries and primary steel production facilities, provided those industries filed a rulemaking proposal relating specifically to those wastes prior to December 1, 1990. This was done in response to the participation of those industries in the R88-7 proceeding.

On December 12, 1990, the Board received a rulemaking proposal from the affected industries. After a February 4, 1991 response by Steel and Foundry to a December 20, 1993 request by the Board for more information, the Board adopted on February 7, 1991 a first First Notice Opinion and order; this proposal was published in the Illinois Register on March 1, 1991. (See 17 Ill. Reg. 3166 (Part 811), and 3155 (Part 814), and 3173 (Part 817) (Mar. 1, 1991).) The Board conducted public hearings on May 19, June 7, and June 21, 1991. The industries filed their first amended proposal on May 13, 1991. After filing a pre-hearing discussion draft on June 24, 1992, the industries filed their second amended proposal on March 4, 1993, with further documentation filed on May 13, 1993 in response to a March 26, 1993 Board hearing officer's order.

The present proposed amendments are based on the second amended industry proposal. 35 Ill. Adm. Code 807 and 810 through 815, and newly-proposed 35 Ill. Adm. Code 817 are involved in this proceeding.

The present rulemaking would establish requirements for certain landfills accepting wastes from the foundry and primary steel industries for disposal. These requirements would apply in place of those that would otherwise apply.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Requests for copies of the Board's July 21, 1994 Opinion should reference Docket R90-26 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Questions regarding these rules may be directed to Anand Rao (312) 814-3956 or Kathleen Crowley (312) 814-6929 at the address above.

The full text of the adopted amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
 SUBTITLE G: WASTE DISPOSAL
 CHAPTER I: POLLUTION CONTROL BOARD
 SUBCHAPTER I: SOLID WASTE AND SPECIAL WASTE HAULING

PART 807
 SOLID WASTE

SUBPART A: GENERAL PROVISIONS

Section	Authority, Policy and Purposes
807.101	Repeals
807.102	Severability
807.103	Definitions
807.104	Relation To Other Rules

SUBPART B: SOLID WASTE PERMITS

Section	Development Permits
807.201	Operating Permits
807.202	Experimental Permits
807.203	Former Authorization
807.204	Applications for Permit
807.205	Permit Conditions
807.206	Standards for Issuance
807.207	Permit No Defense
807.208	Permit Revision
807.209	Supplemental Permits
807.210	Transfer of Permits
807.211	Permit Revocation
807.212	Design, Operation, and Maintenance Criteria
807.213	Revised Cost Estimates

SUBPART C: SANITARY LANDFILLS

Section	Prohibition
807.301	Compliance with Permit
807.302	Methods of Operation
807.303	Equipment, Personnel and Supervision
807.304	Cover
807.305	Litter
807.306	Salvaging
807.307	Scavenging
807.308	Animal Feeding
807.309	Special Wastes
807.310	Open Burning
807.311	

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807.312	Air Pollution
807.313	Water Pollution
807.314	Standard Requirements
807.315	Protection of Waters of the State
807.316	Application
807.317	Operating Records
807.318	Completion or Closure Requirements

SUBPART E: CLOSURE AND POST-CLOSURE CARE

Section	Purpose, Scope and Applicability
807.501	Closure Performance Standard
807.502	Closure Plan
807.503	Amendment of Closure Plan
807.504	Notice of Closure and Final Amendment to Plan
807.505	Initiation of Closure
807.506	Partial Closure
807.507	Certification of Closure
807.508	Use of Waste Following Closure
807.509	Post-Closure Care Plan
807.523	Implementation and Completion of Post-Closure Care Plan
807.524	

SUBPART F: FINANCIAL ASSURANCE FOR CLOSURE AND POST-CLOSURE CARE

Section	Purpose, Scope and Applicability
807.600	Requirement to Obtain Financial Assurance
807.601	Time for Submission of Financial Assurance
807.602	Upgrading Financial Assurance
807.603	Release of Financial Institution
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807.605	Release of the Operator
807.606	Current Cost Estimate
807.620	Cost Estimate for Closure
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807.644	Trust Fund
807.661	Surety Bond Guaranteeing Payment
807.662	Surety Bond Guaranteeing Performance
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807.664	Closure Insurance
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807.666	

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SUBPART G: SITE-SPECIFIC RULES AND EXCEPTIONS NOT OF GENERAL APPLICABILITY

Section

807.700 Cretex Pressure Pipe, Inc. Concrete Waste Disposal Site

APPENDIX A Financial Assurance Forms

ILLUSTRATION A Trust Agreement

ILLUSTRATION B Certificate of Acknowledgment

ILLUSTRATION C Forfeiture Bond

ILLUSTRATION D Performance Bond

ILLUSTRATION E Irrevocable Standby Letter of Credit

ILLUSTRATION F Certificate of Insurance for Closure and/or Post-Closure Care

ILLUSTRATION G Operator's Bond Without Surety

ILLUSTRATION H Operator's Bond With Parent Surety

ILLUSTRATION I Letter from Chief Financial Officer

APPENDIX B Old Rule Numbers Referenced

AUTHORITY: Implementing Sections 5, 21.1 and 22 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021.1, 1022 and 1027) [415 ILCS 5/5, 21.1, 22, and 27].

SOURCE: Adopted as an emergency rule and filed with the Secretary of State July 27, 1973; amended at 2 Ill. Reg. 16, p. 3, effective April 10, 1978; codified at 7 Ill. Reg. 13636; recodified from Subchapter h to Subchapter i at 8 Ill. Reg. 13199; emergency amendment in R84-22A at 9 Ill. Reg. 741, effective January 3, 1985, for a maximum of 150 days; amended in R84-22B at 9 Ill. Reg. 6722, effective April 29, 1985; amended in R84-22C at 9 Ill. Reg. 18942, effective November 25, 1985; amended in R84-45 at 12 Ill. Reg. 15566, effective September 14, 1988; amended in R88-7 at 14 Ill. Reg. 15832, effective September 18, 1990; emergency amendment in R93-25 at 17 Ill. 17268, effective September 24, 1993, for a maximum of 150 days; amended in R90-26 at 18 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 807.105 Relation to Other Rules

- a) Persons and facilities regulated pursuant to 35 Ill. Adm. Code 700 through 749 are not subject to the requirements of this Part or of 35 Ill. Adm. Code 811 through 815 and 817. However, if such a facility also contains one or more units used solely for the disposal of solid wastes, as defined in 35 Ill. Adm. Code 810.103, such units are subject to requirements of this Part and 35 Ill. Adm. Code 811 through 815 and 817.
- b) Persons and facilities subject to 35 Ill. Adm. Code 807, 809 or 811 through 815 or 817 may be subject to other applicable parts of 35 Ill. Adm. Code: Chapter I based on the language of those other parts. Specific examples of such applicability are provided as explained at

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35 Ill. Adm. Code 700.102.

- c) The requirements of 35 Ill. Adm. Code 810 through 815 and 817 are intended to supersede the requirements of this Part. Persons and facilities regulated pursuant to 35 Ill. Adm. Code 810 through 815 and 817 are not subject to the requirements of this Part. This Part does not apply to new units as defined in 35 Ill. Adm. Code 810.103.

(Source: Amended at 18 Ill. Reg. _____, effective _____.)

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- 1) Heading of the Part: SOLID WASTE DISPOSAL: GENERAL PROVISIONS
- 2) Code Citation: 35 Ill. Adm. Code 810
- 3) Section Numbers: Adopted Action:
 810.101 Amendment
 810.103 Amendment
 810.104 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021, 1021.1, 1022, 1022.17 and 1027 (415 ILCS 5/5, 5/21, 5/21.1, 5/22, 5/22.17, and 5/27).
- 5) Effective Date of Amendments: August 1, 1994
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Do these proposed amendments contain incorporations by reference?
 35 Ill. Adm. Code 810.104 is the central location of the incorporations by reference for all of 35 Ill. Adm. Code 810 through 815 and proposed 35 Ill. Adm. Code 817. The present amendments add two references to 35 Ill. Adm. Code 810.104 that are used in 35 Ill. Adm. Code 817.103.
- 8) Date Filed in Agency's Principal Office: July 21, 1994
- 9) Notices of proposal published in Illinois Register: October 15, 1993 at 17 Ill. Reg. 17709. Also see Corrections notice of December 17, 1993 at 17 Ill. Reg. 21882.
- 10) Has JCAR Issued a Statement of Objection to These Proposed Amendments: No
- 11) Differences between proposal and final revisions: Certain minor editorial or typographical corrections made at the request of JCAR or the Code Unit are not detailed here. Significant additions include addition of definitions in Section 810.103: "existing MSWLF unit", "household waste", "lateral expansion", "municipal solid waste landfill unit", "new MSWLF unit", "owner", and "RCRA". In Section 810.104, additional citations were added at 810.104(a)(1), (3) and (4).
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? None issued.
- 13) Will these proposed amendments replace emergency amendments currently in effect? No.
- 14) Are there any other amendments pending on this Part? No.

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15) Summary and Purpose of the Rule:

A more detailed description is contained in the Board's opinion and order of July 21, 1994 in R90-23, which opinion and order is available from the address below.

On August 17, 1990, in R88-7, the Board adopted extensive regulations at 35 Ill. Adm. Code 810 through 815 and amendments to the existing regulations at 35 Ill. Adm. Code 807 to govern the landfill disposal of non-hazardous waste. See 14 Ill. Reg. 15785 (Part 812), 15817 (Part 815), 15814 (Part 813), 15850 (Part 814), 15832 (Part 807), 15838 (Part 810), and 15861 (Part 811) (effective Sept. 18, 1990). As part of that extensive rulemaking proceeding, the Board provided at 35 Ill. Adm. Code 811.101(b) that the regulations would have a limited applicability to landfills that disposed exclusively of wastes generated by foundries and primary steel production facilities, provided those industries filed a rulemaking proposal relating specifically to those wastes prior to December 1, 1990. This was done in response to the participation of those industries in the R88-7 proceeding.

On December 12, 1990, the Board received a rulemaking proposal from the affected industries. After a February 4, 1991 response by Steel and Foundry to a December 20, 1993 request by the Board for more information, the Board adopted on February 7, 1991 a first First Notice opinion and order; this proposal was published in the Illinois Register on March 1, 1991. (See 17 Ill. Reg. 3166 (Part 811), and 3155 (Part 814), and 3173 (Part 817) (Mar. 1, 1991).) The Board conducted public hearings on May 19, June 7, and June 21, 1991. The industries filed their first amended proposal on May 13, 1991. After filing a pre-hearing discussion draft on June 24, 1992, the industries filed their second amended proposal on March 4, 1993, with further documentation filed on May 13, 1993 in response to a March 26, 1993 Board hearing officer's order.

The present proposed amendments are based on the second amended industry proposal. 35 Ill. Adm. Code 807 and 810 through 815, and newly-proposed 35 Ill. Adm. Code 817 are involved in this proceeding.

The present rulemaking would establish requirements for certain landfills accepting wastes from the foundry and primary steel industries for disposal. These requirements would apply in place of those that would otherwise apply.

- 16) Information and questions regarding this adopted amendment shall be directed to:
 Requests for copies of the Board's July 21, 1994 Opinion should reference Docket R90-26 and be addressed to:

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Questions regarding these rules may be directed to Anand Rao (312) 814-3956 or Kathleen Crowley (312) 814-6929 at the address above.

The full text of the adopted amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER i: SOLID WASTE AND SPECIAL WASTE HAULING

PART 810

SOLID WASTE DISPOSAL: GENERAL PROVISIONS

Section
810.101 Scope and Applicability
810.102 Severability
810.103 Definitions
810.104 Incorporations by Reference

AUTHORITY: Implementing Sections 5, 21, 21.1, 22 and 22.17, and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021, 1021.1, 1022, 1022.17 and 1027) [415 ILCS 5/5, 21, 21.1, 22, 22.17 and 27].

SOURCE: Adopted in R88-7 at 14 Ill. Reg. 15838, effective September 18, 1990; amended in R93-10 at 18 Ill. Reg. 1368, effective January 13, 1994; amended in R90-26 at 18 Ill. Reg. _____, effective _____.

Section 810.101 Scope and Applicability

This Part applies to all solid waste disposal facilities regulated pursuant to 35 Ill. Adm. Code 811 through 815 and 817. This Part does not apply to hazardous waste management facilities regulated pursuant to 35 Ill. Adm. Code 700 through 750.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 810.103 Definitions

Except as stated in this Section, or unless a different meaning of a word or term is clear from the context, the definition of words or terms in this Part shall be the same as that applied to the same words or terms in the Environmental Protection Act (Act) (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1001 et. seq.) [415 ILCS 5/1-ett-seq-17]

"Act" means the Environmental Protection Act, Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1001 et. seq. [415 ILCS 5/1-ett-seq-17].

"Admixtures" are chemicals added to earth materials to improve for a specific application the physical or chemical properties of the earth materials. Admixtures include, but are not limited to: lime, cement, bentonite and sodium silicate.

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"Agency" is the environmental protection agency established by the Environmental Protection Act. (Section 3.08 of the Act+)

"Applicant" means the person, submitting an application to the Agency for a permit for a solid waste disposal facility.

"Aquifer" means saturated (with groundwater) soils and geologic materials which are sufficiently permeable to readily yield economically useful quantities of water to wells, springs, or streams under ordinary hydraulic gradients and whose boundaries can be identified and mapped from hydrogeologic data. (Section 3 of the Illinois Groundwater Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 7453) [415 ILCS 55/3])++

"Bedrock" means the solid rock formation immediately underlying any loose superficial material such as soil, alluvica or glacial drift.

"Beneficially usable waste" means any solid waste from the steel and foundry industries that will not decompose biologically, burn, serve as food for vectors, form a gas, cause an odor, or form a leachate that contains constituents that exceed the limits for this type of waste as specified at 35 Ill. Adm. Code 817.1106.

"Board" is the Pollution Control Board established by the Act. (Section 3.04 of the Act+)

"Borrow area" means an area from which earthen material is excavated for the purpose of constructing daily cover, final cover, a liner, a gas venting system, roadways or berms.

"Chemical waste" means a non-putrescible solid whose characteristics are such that any contaminated leachate is expected to be formed through chemical or physical processes, rather than biological processes, and no gas is expected to be formed as a result.

"Contaminated leachate" means any leachate whose constituent violate the standards of 35 Ill. Adm. Code 811.202.

"Design Period" means that length of time determined by the sum of the operating life of the solid waste landfill facility plus the postclosure care period necessary to stabilize the waste in the units.

"Disposal" means the discharge, deposit, injection, dumping, spilling, leaking or placing of any solid waste into or on any land or water or into any well such that solid waste or any constituent of the solid waste may enter the environment by being emitted into the air or discharged into any waters, including groundwater. (Section 3.08 of the Act+) If the solid waste is accumulated and not confined or contained to prevent its entry into the environment, or there is no

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certain plan for its disposal elsewhere, such accumulation shall constitute disposal.

"Disturbed areas" means those areas within a facility that have been physically altered during waste disposal operations or during the construction of any part of the facility.

"Documentation" means items, in any tangible form, whether directly legible or legible with the aid of any machine or device, including but not limited to affidavits, certificates, deeds, leases, contracts or other binding agreements, licenses, permits, photographs, audio or video recordings, maps, geographic surveys, chemical and mathematical formulas or equations, mathematical and statistical calculations and assumptions, research papers, technical reports, technical designs and design drawings, stocks, bonds and financial records, that are used to support facts or hypothesis.

"Earth liners" means structures constructed from naturally occurring soil material that has been compacted to achieve a low permeability.

"Existing facility" or **"Existing unit"** means a facility or unit which is not defined in this Section as a new facility or a new unit.

"Existing MSWLF Unit" means any municipal solid waste landfill unit that has received household waste before October 9, 1993. (Section 3.87 of the Act+)

"Facility" means a site and all equipment and fixtures on a site used to treat, store or dispose of solid or special wastes. A facility consists of an entire solid or special waste treatment, storage or disposal operation. All structures used in connection with or to facilitate the waste disposal operation shall be considered a part of the facility. A facility may include, but is not limited to, one or more solid waste disposal units, buildings, treatment systems, processing and storage operations, and monitoring stations.

"Field capacity" means that maximum moisture content of a waste, under field conditions of temperature and pressure, above which moisture is released by gravity drainage.

"Foundry sand" means pure sand or a mixture of sand and any additives necessary for use of the sand in the foundry process by-products as air pollution control dust or refractories.

"Gas collection system" means a system of wells, trenches, pipes and other related ancillary structures such as manholes, compressor housing, and monitoring installations that collect and transports the gas produced in a putrescible waste disposal unit to one or more gas processing points. The flow of gas through such a system may be

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produced by naturally occurring gas pressure gradients or may be aided by an induced draft generated by mechanical means.

"Gas condensate" means the liquid formed as a landfill gas is cooled or compressed.

"Gas venting system" means a system of wells, trenches, pipes and other related structures that vents the gas produced in a putrescible waste disposal unit to the atmosphere.

"Geomembranes" means manufactured membrane liners and barriers of low permeability used to control the migration of fluids or gases.

"Geotextiles" are permeable manufactured materials used for purposes which include, but are not limited to, strengthening soil, providing a filter to prevent clogging of drains, collecting and draining liquids and gases beneath the ground surface.

"Groundwater" means underground water which occurs within the saturated zone and within geologic materials where the fluid pressure in the pore space is equal to or greater than atmospheric pressure. (Section 3 of the Illinois Groundwater Protection Act)

"Household Waste" means any solid waste (including garbage, trash, and sanitary waste in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas). (Section 3.89 of the Act)

"Hydraulic barriers" means structures designed to prevent or control the seepage of water. Hydraulic barriers include, but are not limited to cutoff walls, slurry walls, grout curtains and liners.

"Inert waste" means any solid waste that will not decompose biologically, burn, serve as food for vectors, form a gas, cause an odor, or form a contaminated leachate, as determined in accordance with Section 811.202(b). Such inert wastes shall include only non-biodegradable and non-putrescible solid wastes. Inert wastes may include, but are not limited to, bricks, masonry and concrete (cured for 60 days or more).

"Iron slag" means slag.

"Land application unit" means an area where wastes are agronomically spread over or disked into land or otherwise applied so as to become incorporated into the soil surface. For the purposes of this Part and 35 Ill. Adm. Code 811 through 815, a land application unit is not a landfill; however, other Parts of 35 Ill. Adm. Code: Chapter I may apply, and may include the permitting requirements of 35 Ill. Adm.

Code 309.

"Landfill" means a unit or part of a facility in or on which waste is placed and accumulated over time for disposal, and which is not a land application unit, a surface impoundment or an underground injection well. For the purposes of this Part and 35 Ill. Adm. Code 811 through 815, landfills include waste piles, as defined in this Section.

"Lateral Expansion" means a horizontal expansion of the actual waste boundaries of an existing MSWLF unit occurring on or after October 9, 1993. For purposes of this Section, a horizontal expansion is any area where solid waste is placed for the first time directly upon the bottom liner of the unit, excluding side slopes on or after October 9, 1993. (Section 3.88 of the Act)

"Leachate" means liquid that has been or is in direct contact with a solid waste.

"Lift" means an accumulation of waste which is compacted into a unit and over which cover is placed.

"Low risk waste" means any solid waste from the steel and foundry industries that will not decompose biologically, burn, serve as food for vectors, form a gas, cause an odor, or form a leachate that contains constituents that exceed the limits for this type of waste as specified at 35 Ill. Adm. Code 817.106.

"Malodor" means an odor caused by one or more contaminant emissions into the atmosphere from a facility that is in sufficient quantities and of such characteristics and duration as to be described as malodorous and which may be injurious to human, plant, or animal life, to health, or to property, or to unreasonably interfere with the enjoyment of life or property. (Section 3.02 of the Act (defining "air pollution"))

"Municipal Solid Waste Landfill Unit" or "MSWLF Unit" means a contiguous area of land or an excavation that receives household waste, and that is not a land application, surface impoundment, injection well, or any pile of noncontained accumulations of solid, nonflowing waste that is used for treatment or storage. A MSWLF unit may also receive other types of RCRA Subtitle D wastes, such as commercial solid waste, nonhazardous sludge, small quantity generator waste and industrial solid waste. Such a landfill may be publicly or privately owned or operated. A MSWLF unit may be a new MSWLF unit, an existing MSWLF unit or a lateral expansion. A sanitary landfill is subject to regulation as a MSWLF if it receives household waste. (Section 3.85 of the Act)

"National Pollutant Discharge Elimination System" or "NPDES" means the

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program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits and imposing and enforcing pretreatment requirements under the Clean Water Act (33 U.S.C. 1251 et seq.), Section 12(f) of the Environmental Protection Act and 35 Ill. Adm. Code 309.Subpart A and 310.

"NPDES permit" means a permit issued under the NPDES program.

"New facility" or "New unit" means a solid waste landfill facility or a unit at a facility, if one or more of the following conditions apply:

It is a landfill or unit exempt from permit requirements pursuant to Section 21(d) of the Act that has not yet accepted any waste as of the effective date of this Part;

It is a landfill or unit not exempt from permit requirements pursuant to Section 21(d) of the Act that has no development or operating permit issued by the Agency pursuant to 35 Ill. Adm. Code 807 as of the effective date of this Part; or

It is a landfill with a unit whose maximum design capacity or lateral extent is increased after the effective date of this Part September 18, 1990.

(BOARD NOTE: A new unit located in an existing facility shall be considered a unit subject to 35 Ill. Adm. Code 814, which references applicable requirements of 35 Ill. Adm. Code 811.)

"New MSWLF Unit" means any municipal solid waste landfill unit that has received household waste on or after October 9, 1993, for the first time. (Section 3.86 of the Act.)

"One hundred (100) year flood plain" means any land area which is subject to a one percent or greater chance of flooding in a given year from any source.

"One hundred (100) year, 24 hour precipitation event" means a precipitation event of a 24 hour duration with a probable recurrence interval of once in 100 years.

"Operator" means the person responsible for the operation and maintenance of a solid waste disposal facility.

"Owner" means a person who has an interest, directly or indirectly, in land, including a leasehold interest, on which a person operates and maintains a solid waste disposal facility. The "owner" is the "operator" if there is no other person who is operating and maintaining a solid waste disposal facility.

"Perched watertable" means an elevated water table above a discontinuous saturated lens, resting on a low permeability (such as

clay) layer within a high permeability (such as sand) formation.

"Permit area" means the entire horizontal and vertical region occupied by a permitted solid waste disposal facility.

"Person" is any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent or assigns. (Section 3.26 of the Act.)

"Potentially usable waste" means any solid waste from the steel and foundry industries that will not decompose biologically, burn, serve as food for vectors, form a gas, cause an odor, or form a leachate that contains constituents that exceed the limits for this type of waste as specified at 35 Ill. Adm. Code 817.106.

"Professional engineer" means a person who has registered and obtained a seal pursuant to ~~the Illinois~~ the Professional Engineering Practice Act of 1989 (Ill. Rev. Stat. 1991, ch. 111, par. 5101 et seq.) [225 ILCS 325/1-et-seq.].

"Professional land surveyor" means a person who has received a certificate of registration and a seal pursuant to ~~the Illinois~~ Professional Land Surveyors Surveyor Act of 1989 (Ill. Rev. Stat. 1991, ch. 111, par. 3201 et seq.) [225 ILCS 330/1-et-seq.].

"Putrescible waste" means a solid waste that contains organic matter capable of being decomposed by microorganisms so as to cause a malodor, gases, or other offensive conditions, or which is capable of providing food for birds and vectors. Putrescible wastes may form a contaminated leachate from microbiological degradation, chemical processes, and physical processes. Putrescible waste includes, but is not limited to, garbage, offal, dead animals, general household waste, and commercial waste. All solid wastes which do not meet the definitions of inert or chemical wastes shall be considered putrescible wastes.

"Publicly owned treatment works" or "POTW" means a treatment works that is owned by the State of Illinois or a unit of local government. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastewater. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW treatment plant. The term also means the unit of local government which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

"Recharge zone" means an area through which water can enter an aquifer.

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"Resource Conservation Recovery Act" "RCRA" means the Resource Conservation and Recovery Act of 1976 (P.L. 94-580 Codified as 42 USC. 6901 et seq.) as amended. (Section 3.90 of the Act+)

"Responsible charge," when used to refer to a person, means that the person is normally present at a waste disposal site; directs the day-to-day overall operation at the site; and either is the owner or operator or is employed by or under contract with the owner or operator to assure that the day-to-day operations at the site are carried out in compliance with any Part of 35 Ill. Adm. Code: Chapter I governing operations at waste disposal sites.

"Runoff" means water resulting from precipitation that flows overland before it enters a defined stream channel, any portion of such overland flow that infiltrates into the ground before it reaches the stream channel, and any precipitation that falls directly into a stream channel.

"Salvaging" means the return of waste materials to use, under the supervision of the landfill operator, so long as the activity is confined to an area remote from the operating face of the landfill, it does not interfere with or otherwise delay the operations of the landfill, and it results in the removal of all materials for salvaging from the landfill site daily or separates them by type and stores them in a manner that does not create a nuisance, harbor vectors or cause an unsightly appearance.

"Scavenging" means the removal of materials from a solid waste management facility or unit which is not salvaging.

"Seismic Slope Safety Factor" means the ratio between the resisting forces or moments in a slope and the driving forces or moments in a slope and the driving forces or moments that may cause a massive slope failure during an earthquake or other seismic event such as an explosion.

"Settlement" means subsidence caused by waste loading, changes in groundwater level, chemical changes within the soil and adjacent operations involving excavation.

"Shredding" means the mechanical reduction in particle sizes of solid waste. Putrescible waste is considered shredded if 90 percent of the waste by dry weight passes a 3 inch sieve.

"Significant Modification" means a modification to an approved permit issued by the Agency in accordance with Section 39 of the Act and 35 Ill. Adm. Code 813 that is required when one or more of the following changes, considered significant when that change measured by one or more parameters whose values lie outside the expected operating range

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of values for that parameter as specified in the permit, are planned, occur or will occur:

An increase in the capacity of the waste disposal unit over the permitted capacity;

Any change in the placement of daily, intermediate or final cover;

A decrease in performance, efficiency or longevity of the liner system;

A decrease in efficiency or performance of the leachate collection system;

A change in configuration, performance, or efficiency of the leachate management system;

A change in the final disposition of treated effluent or in the quality of the discharge from the leachate treatment or pretreatment system;

Installation of a gas management system, or a decrease in the efficiency or performance of an existing gas management system;

A change in the performance or operation of the surface water control system;

A decrease in the quality or quantity of data from any environmental monitoring system;

A change in the applicable background concentrations or the maximum allowable concentrations;

A change in the design or configuration of the regraded area after development or after final closure;

A change in the amount or type of postclosure financial assurance;

Any change in the permit boundary;

A change in the postclosure land use of the property;

A remedial action necessary to protect groundwater;

Transfer of the permit to a new operator;

Operating authorization is being sought to place into service a structure constructed pursuant to a construction quality assurance program; or

A change in any requirement set forth as a special condition in the permit.

"Slag" means the fused agglomerate which separates in the iron and steel production and floats on the surface of the molten metal.

"Sole source aquifer" means those aquifers designated pursuant to Section 1424(e) of the Safe Drinking Water Act of 1974+ (42 U.S.C. 300h-3).

"Solid Waste" means a waste that is defined in this Section as an inert waste, as a putrescible waste, as a chemical waste or as a special waste, and which is not also defined as a hazardous waste pursuant to 35 Ill. Adm. Code 721.

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"Special Waste" means any industrial process waste, pollution control waste or hazardous waste, except as determined pursuant to Section 22.9 of the Act and 35 Ill. Adm. Code 808. (Section 3.45 of the Act.)

"Static Safety Factor" means the ratio between resisting forces or moments in a slope and the driving forces or moments that may cause a massive slope failure.

"Steel slag" means slag.

"Surface impoundment" means a natural topographic depression, a man-made excavation, or a diked area into which flowing wastes, such as liquid wastes or wastes containing free liquids, are placed. For the purposes of this Part and 35 Ill. Adm. Code 811 through 815, a surface impoundment is not a landfill. Other Parts of 35 Ill. Adm. Code: Chapter I may apply, including the permitting requirements of 35 Ill. Adm. Code 309.

"Twenty-five (25) year, 24 hour precipitation event" means a precipitation event of 24 hour duration with a probable recurrence interval of once in 25 years.

"Uppermost aquifer" means the first geologic formation above and below the bottom elevation of a constructed liner or wastes, where no liner is present, which is an aquifer, and includes any lower aquifer that is hydraulically connected with this aquifer within the facility's permit area.

"Unit" means a contiguous area used for solid waste disposal.

"Unit of local government" means a unit of local government, as defined by Article 7, Section 1 of the Illinois Constitution. A unit of local government may include, but is not limited to, a municipality, a county, or a sanitary district.

"Waste pile" means an area on which noncontainerized masses of solid, non flowing wastes are placed for disposal. For the purposes of this Part and 35 Ill. Adm. Code 811 through 815, a waste pile is a landfill, unless the operator can demonstrate that the wastes are not accumulated over time for disposal. At a minimum, such demonstration shall include photographs, records or other observable or discernable information, maintained on a yearly basis, that show that within the preceding year the waste has been removed for utilization or disposed elsewhere.

"Waste stabilization" means any chemical, physical or thermal treatment of waste, either alone or in combination with biological processes, which results in a reduction of microorganisms, including viruses, and the potential for putrefaction.

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"Working face" means any part of a landfill where waste is being disposed.

"Zone of Attenuation" means the three dimensional region formed by excluding the volume occupied by the waste placement from the smaller of the volumes resulting from vertical planes drawn to the bottom of the uppermost aquifer at the property boundary or 100 feet from the edge of one or more adjacent units.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 810.104 Incorporations by Reference

a) The Board incorporates the following material by reference:

- 1) Code of Federal Regulations: 40 CFR 141.40 (1988).
- 2) American Institute of Certified Public Accountants, 1211 Avenue of the Americans, New York NY 10036: Auditing Standards--Current Text, August 1, 1990 Edition~~7 available through the American Institute of Certified Public Accountants, 1211 Avenue of the Americans, New York, NY 10036.~~
- 3) ASTM. American Society for Testing and Materials, 1976 Race Street, Philadelphia PA 19103 (215)299-5585:

Method D2234-76, Test Method for Collection of Gross Samples of Coal.

Method D3987-85, Standard Test Method for Shake Extraction of Solid Waste with Water.

Test Methods for Evaluating Solid Waste, Physical/Chemical methods, EPA Publication SW-846 (Third Edition, 1986 as amended by Update I) (November, 1990). SW-846 and Update I are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, Ph: (202)783-3238.

40 CFR 258, Appendix II (1992).

b) This incorporation includes no later amendments or editions.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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1) Heading of the Part: STANDARDS FOR EXISTING LANDFILLS AND UNITS2) Code Citation: 35 Ill. Adm. Code 8143) Section Numbers: Adopted Action:

814.601, 814.602, 814.701	New Section
814.702, 814.801, 814.802	New Section
814.901, 814.902	

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021, 1021.1, 1022, 1022.17 and 1027 [415 ILCS 5/5, 5/21, 5/21.1, 5/22, 5/22.17, and 5/27].5) Effective Date of Amendments: August 1, 19946) Does this rulemaking contain an automatic repeal date?: No.7) Do these proposed amendments contain incorporations by reference? No.8) Date Filed in Agency's Principal Office: July 21, 19949) Notice of proposal published in Illinois Register: October 15, 1993 at 17 Ill. Reg. 17721.10) Has JCAR Issued a Statement of Objection to These Proposed Amendments: No11) Differences between proposal and final revisions: Certain minor editorial or typographical corrections made at the request of JCAR or the Code Unit are not detailed here. The main source note has been updated.12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? None issued.13) Will these proposed amendments replace emergency amendments currently in effect? No.14) Are there any other amendments pending on this Part? No.15) Summary and Purpose of the Rule:

A more detailed description is contained in the Board's opinion and order of July 21, 1994 in R90-23, which opinion and order is available from the address below.

On August 17, 1990, in R88-7, the Board adopted extensive regulations at 35 Ill. Adm. Code 810 through 815 and amendments to the existing regulations at 35 Ill. Adm. Code 807 to govern the landfill disposal of non-hazardous waste. See 14 Ill. Reg. 15785 (Part 812), 15817 (Part 815),

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15814 (Part 813), 15850 (Part 814), 15832 (Part 807), 15838 (Part 810), and 15861 (Part 811) (effective Sept. 18, 1990). As part of that extensive rulemaking proceeding, the Board provided at 35 Ill. Adm. Code 811.101(b) that the regulations would have a limited applicability to landfills that disposed exclusively of wastes generated by foundries and primary steel production facilities, provided those industries filed a rulemaking proposal relating specifically to those wastes prior to December 1, 1990. This was done in response to the participation of those industries in the R88-7 proceeding.

On December 12, 1990, the Board received a rulemaking proposal from the affected industries. After a February 4, 1991 response by Steel and Foundry to a December 20, 1993 request by the Board for more information, the Board adopted on February 7, 1991 a first First Notice opinion and order; this proposal was published in the Illinois Register on March 1, 1991. (See 17 Ill. Reg. 3166 (Part 811), and 3155 (Part 814), and 3173 (Part 817) (Mar. 1, 1991).) The Board conducted public hearings on May 19, June 7, and June 21, 1991. The industries filed their first amended proposal on May 13, 1991. After filing a pre-hearing discussion draft on June 24, 1992, the industries filed their second amended proposal on March 4, 1993, with further documentation filed on May 13, 1993 in response to a March 26, 1993 Board hearing officer's order.

The present proposed amendments are based on the second amended industry proposal. 35 Ill. Adm. Code 807 and 810 through 815, and newly-proposed 35 Ill. Adm. Code 817 are involved in this proceeding.

The present rulemaking would establish requirements for certain landfills accepting wastes from the foundry and primary steel industries for disposal. These requirements would apply in place of those that would otherwise apply.

16) Information and questions regarding this adopted amendment shall be directed to:

Requests for copies of the Board's July 21, 1994 Opinion should reference Docket R90-26 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Questions regarding these rules may be directed to Anand Rao (312) 814-3956 or Kathleen Crowley (312) 814-6929 at the address above.

The full text of the adopted amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER I: SOLID WASTE AND SPECIAL WASTE HAULING

PART 814

STANDARDS FOR EXISTING LANDFILLS AND UNITS

SUBPART A: GENERAL REQUIREMENTS

Section
814.101 Scope and Applicability
814.102 Compliance Date
814.103 Notification to Agency
814.104 Applications For Significant Modification of Permits
814.105 Effect of Timely Filing of Notification and Application For Significant Modification
814.106 Agency Action On Applications For Significant Modifications to Existing Permits
814.107 Compliance Dates for Existing MSWLF Units
814.108 Interim Permit Requirements for Existing MSWLF Units
814.109 Permit Requirements for Lateral Expansions at Existing MSWLF Units

SUBPART B: STANDARDS FOR UNITS ACCEPTING INERT WASTE

Section
814.201 Scope and Applicability
814.202 Applicable Standards

SUBPART C: STANDARDS FOR EXISTING UNITS ACCEPTING CHEMICAL OR PUTRESCIBLE WASTES THAT MAY REMAIN OPEN FOR MORE THAN SEVEN YEARS

Section
814.301 Scope and Applicability
814.302 Applicable Standards

SUBPART D: STANDARDS FOR EXISTING UNITS ACCEPTING CHEMICAL AND PUTRESCIBLE WASTES THAT MUST INITIATE CLOSURE WITHIN SEVEN YEARS

Section
814.401 Scope and Applicability
814.402 Applicable Standards

SUBPART E: STANDARDS FOR EXISTING UNITS ACCEPTING INERT WASTE ONLY, OR ACCEPTING CHEMICAL AND PUTRESCIBLE WASTES THAT MUST INITIATE CLOSURE WITHIN TWO YEARS

Section
814.501 Scope and Applicability

814.502 Standards for Operation and Closure

SUBPART F: STANDARDS FOR EXISTING UNITS ACCEPTING ONLY LOW RISK WASTES FROM THE STEEL AND FOUNDRY INDUSTRIES THAT MAY REMAIN OPEN FOR MORE THAN SEVEN YEARS

Section
814.601 Scope and Applicability
814.602 Applicable Standards

SUBPART G: STANDARDS FOR EXISTING UNITS ACCEPTING ONLY LOW RISK WASTES FROM THE STEEL OR FOUNDRY INDUSTRIES THAT MUST INITIATE CLOSURE WITHIN SEVEN YEARS

Section
814.701 Scope and Applicability
814.702 Applicable Standards

SUBPART H: STANDARDS FOR EXISTING UNITS ACCEPTING ONLY POTENTIALLY USABLE STEEL OR FOUNDRY INDUSTRY WASTE, OR ACCEPTING ONLY LOW RISK STEEL OR FOUNDRY INDUSTRY WASTES THAT MUST INITIATE CLOSURE WITHIN TWO YEARS

Section
814.801 Scope and Applicability
814.802 Standards for Operation and Closure

SUBPART I: STANDARDS FOR EXISTING UNITS ACCEPTING ONLY POTENTIALLY USABLE STEEL OR FOUNDRY INDUSTRY WASTE THAT PLAN TO STAY OPEN FOR MORE THAN TWO YEARS

Section
814.901 Scope and Applicability
814.902 Standards for Operation and Closure

APPENDIX A Additional Requirements for Existing MSWLF Units and Lateral Expansions Operating Under Permits Issued Pursuant to 35 Ill. Adm. Code 807.

AUTHORITY: Implementing Sections 5, 21, 21.1, 22, 22.17 and 28.1 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021, 1021.1, 1022, 1022.17, 1028.1 and 1027) [415 ILCS 5/5, 21, 21.1, 22, 22.17, 28.1 and 27].

SOURCE: Adopted in R88-7 at 14 Ill. Reg. 15850, effective September 18, 1990; amended in R93-10 at 18 Ill. Reg. 1284, effective January 13, 1994; emergency amendment at 18 Ill. Reg. 8488, effective May 12, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. _____, effective _____.

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SUBPART F: STANDARDS FOR EXISTING UNITS ACCEPTING ONLY LOW RISK WASTES FROM THE STEEL AND FOUNDRY INDUSTRIES THAT MAY REMAIN OPEN FOR MORE THAN SEVEN YEARS

Section 814.601 Scope and Applicability

- a) The standards in this Subpart are applicable to all existing units of landfills, including those exempt from permit requirements in accordance with Section 21(d) of the Act, that have accepted or accept low risk wastes and are classified as low risk waste landfill in accordance with subsection (c) of this Section. Based on an evaluation of the information submitted pursuant to Subpart A of this Part and any Agency site inspection, units that meet the requirements of this Subpart may remain open for an indefinite period of time beyond seven years after September 18, 1990.
- b) Based on an evaluation of the information submitted pursuant to Subpart A of this Part and any Agency site inspection, units which are unable to comply with the requirements of this Subpart are subject to the requirements of Subpart G or Subpart H of this Part.
- c) An owner or operator shall demonstrate that the existing landfill unit is a low risk waste landfill unit pursuant to 35 Ill. Adm. Code 817.105 and 817.106 as follows:
- 1) Collecting a representative sample of undiluted and unattenuated landfill leachate obtained in accordance with 35 Ill. Adm. Code 817.103(b)(3); or
 - 2) Extracting leachate from representative core samples obtained from the existing unit. The core samples shall be individually extracted by using ASTM Method D3987-85 specified in 35 Ill. Adm. Code 817.103(a) and the resulting leachate shall be used for waste classification purposes.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 814.602 Applicable Standards

- a) All of the requirements for new units described in 35 Ill. Adm. Code 817 shall apply to units regulated under this Subpart except the following:
- 1) The location standards in 35 Ill. Adm. Code 817.402(a) and (d);
 - 2) The foundation and mass stability analysis standards in 35 Ill. Adm. Code 817.404 and 817.405;
 - 3) The final cover requirements of 35 Ill. Adm. Code 817.410 shall not apply to units or parts of units closed, covered, and vegetated prior to August 1, 1994;
 - 4) The liner and leachate drainage and collection requirements of 35 Ill. Adm. Code 817.406, 817.407, and 817.408; and
 - 5) The hydrogeological site investigation requirements of 35 Ill. Adm. Code 817.411, except that information shall be collected to

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implement a groundwater monitoring program in accordance with 35 Ill. Adm. Code 817.414 and 817.415 and establish background concentrations for the purpose of establishing maximum allowable predicted concentrations pursuant to 35 Ill. Adm. Code 817.414.

- b) Units regulated under this Subpart shall be subject to the following standards:

- 1) The unit must be equipped with a system which will effectively drain and collect leachate and transport it to a leachate management system. However, if the facility can provide proof that the applicable groundwater quality standards, as provided at 35 Ill. Adm. Code 817.416(a)(1), will not be exceeded at the compliance boundary, no leachate collection or transport system shall be required. At a minimum, such proof shall include a groundwater impact assessment performed in accordance with 35 Ill. Adm. Code 817.413;
- 2) The operator shall provide a long-term static safety factor of at least 1.5 to protect a completed unit against slope failure;
- 3) Calculation of the Design Period. For the purpose of calculating financial assurance, the design period shall be calculated as follows:
 - A) The design period shall be no less than the operating life of the landfill plus 15 years of postclosure care;
 - B) The postclosure care period shall be extended by three years for each year the unit is expected to be in operation up to the applicable design period required by 35 Ill. Adm. Code 817. (For example, an existing unit with an expected operating life of three or seven years after September 18, 1990 would be required to provide financial assurance during operation and for a postclosure care period of either 15 years since $3 \times 3 = 9$ years is less than the 15 year minimum specified in subsection (b)(3)(A); or 20 years since $3 \times 7 = 21$ years is greater than the 20 years specified in Section 817.403(a), respectively.)

(Source: Added at 18 Ill. Reg. _____, effective _____)

SUBPART G: STANDARDS FOR EXISTING UNITS ACCEPTING ONLY LOW RISK WASTES FROM THE STEEL OR FOUNDRY INDUSTRIES THAT MUST INITIATE CLOSURE WITHIN SEVEN YEARS

Section 814.701 Scope and Applicability

- a) The standards in this Subpart are applicable to all existing units of landfills, including those exempt from permit requirements in accordance with Section 21(d) of the Act, that have accepted or accept low risk wastes and are classified as low risk waste landfill in accordance with subsection (c) below. Based on an evaluation of the information submitted pursuant to Subpart A of this Part and any

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Agency site inspection, units that meet the requirements of this Subpart shall initiate closure between two and seven years after August 1, 1994.

- b) Based on an evaluation of the information submitted pursuant to Subpart A of this Part and any Agency site inspection, units which are unable to comply with the requirements of this Section are subject to the requirements of Subpart H of this Part.

c) An owner or operator shall demonstrate that the existing landfill unit is a low risk waste landfill unit pursuant to 35 Ill. Adm. Code 817.105 and 817.106 as follows:

- 1) Collecting a representative sample of undiluted and unattenuated landfill leachate obtained in accordance with 35 Ill. Adm. Code 817.103(b)(3); or
- 2) Extracting leachate from representative core samples obtained from the existing unit. The core samples shall be individually extracted by using ASTM Method D3987-85 specified in 35 Ill. Adm. Code 817.103(a) and the resulting leachate shall be used for waste classification purposes.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 814.702 Applicable Standards

a) All of the requirements for new units described in 35 Ill. Adm. Code 817 shall apply to units regulated under this Subpart, except the following:

- 1) The location standards in 35 Ill. Adm. Code 817.402(a), (c) and (d);
- 2) The foundation and mass stability analysis standards in 35 Ill. Adm. Code 817.404 and 817.405;
- 3) The final cover requirements of 35 Ill. Adm. Code 817.407 shall not apply to units or parts of units closed, covered, and vegetated prior to August 1, 1994;
- 4) The line and leachate drainage and collection requirements of 35 Ill. Adm. Code 817.406, 817.407, and 817.408;
- 5) The hydrogeological site investigation requirements of 35 Ill. Adm. Code 817.411;
- 6) The groundwater impact assessment standards of 35 Ill. Adm. Code 817.413;
- 7) The groundwater monitoring program requirements of 35 Ill. Adm. Code 817.414(c); and
- 8) The groundwater quality standards of 35 Ill. Adm. Code 817.416(a), (b), and (c).

b) The following standards shall apply to units regulated under this Subpart:

- 1) No new units shall be opened and an existing unit may not expand beyond the area included in a permit prior to August 1, 1994 or, in the case of permit exempt facilities, beyond the area needed

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for landfilling to continue until closure is initiated;
After August 1, 1994, the unit may continue to accept special waste under permits existing prior to August 1, 1994 and may renew those permits as necessary. However, the unit may apply for supplemental waste stream permits only if the following conditions are met:

A) The additional waste stream composition is similar to or compatible with the wastes previously disposed of in the unit; and

B) The waste stream leaching characteristics determined in accordance with 35 Ill. Adm. Code 817.103 meets the maximum allowable leaching concentrations for low risk wastes specified at 35 Ill. Adm. Code 817.106.

3) Groundwater Standards. A unit shall not contaminate a source of drinking water at the compliance boundary, defined as any point on the edge of the unit at or below the ground surface. At any point on the compliance boundary, the concentration of constituents shall not exceed the applicable groundwater quality standards of 35 Ill. Adm. Code Part 620. The Board may provide for a zone of attenuation and adjust the compliance boundary in accordance with Section 28.1 of the Act and the procedures of 35 Ill. Adm. Code 106. Subpart G upon petition demonstration by the operator that the alternative compliance boundary will not result in contamination of groundwater which may be needed or used for human consumption. In reviewing such petitions, the Board will consider the following factors:

A) The hydrogeological characteristics of the unit and surrounding land, including any natural attenuation and dilution characteristics of the aquifer;

B) The volume and physical and chemical characteristics of the leachate;

C) The quantity, quality, and direction of flow of groundwater underlying the facility;

D) The proximity and withdrawal rates of groundwater users;

E) The availability of alternative drinking water supplies;

F) The existing quality of the groundwater, including other sources of contamination and their cumulative impacts on the groundwater;

G) Public health, safety, and welfare effects; and

H) In no case shall the zone of compliance extend beyond the facility property line or beyond the annual high water mark of any navigable surface water.

4) Calculation of the Design Period. For the purposes of calculating financial assurance, the design period shall be calculated as follows:

A) The design period shall be no less than five years; and

B) The postclosure care period shall be extended by three years for each year the unit is expected to be in operation up to the applicable design period required by 35 Ill. Adm. Code

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817. (For example, an existing unit with an expected life of three years after September 18, 1990 would be required to provide financial assurance for nine years of postclosure care, $9 = 3 \times 3$.)

(Source: Added at 18 Ill. Reg. _____, effective _____)

SUBPART H: STANDARDS FOR EXISTING UNITS ACCEPTING ONLY POTENTIALLY USABLE STEEL OR FOUNDRY INDUSTRY WASTE, OR ACCEPTING ONLY LOW RISK STEEL OR FOUNDRY INDUSTRY WASTES THAT MUST INITIATE CLOSURE WITHIN TWO YEARS

Section 814.801 Scope and Applicability

- a) The standards in this Subpart are applicable to all existing units of landfills, including those exempt from permit requirements in accordance with Section 21(d) of the Act, that accept potentially usable waste only or which accept low risk wastes.
- b) All units that cannot demonstrate compliance with the requirements of Subparts B, F, or G of this Part, or that are scheduled to begin closure within two years after August 1, 1994, must begin closure within two years after August 1, 1994.
- c) A new permit shall not be required for any facility at which all units will close within two years after August 1, 1994.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 814.802 Standards for Operation and Closure

- a) All units regulated in this Subpart are subject to all requirements in 35 Ill. Adm. Code 807.
- b) All units regulated under this Subpart are subject to all conditions of the existing permit.

(Source: Added at 18 Ill. Reg. _____, effective _____)

SUBPART I: STANDARDS FOR EXISTING UNITS ACCEPTING ONLY POTENTIALLY USABLE STEEL OR FOUNDRY INDUSTRY WASTE THAT PLAN TO STAY OPEN FOR MORE THAN TWO YEARS

Section 814.901 Scope and Applicability

- a) The standards in this Subpart are applicable to all existing units of landfills, including those exempt from permit requirements in accordance with Section 21(d) of the Act, that accept only potentially usable waste and are classified as potentially usable waste landfills

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in accordance with subsection (c) below. Based on an evaluation of the information submitted pursuant to Subpart A of this Part and any Agency site inspection, units that meet the requirements of this Subpart may remain open for an indefinite period of time after August 1, 1994.

- b) Based on an evaluation of the information submitted pursuant to Subpart A of this Part and any Agency site inspection, units which are unable to comply with the requirements of this Section are subject to the requirements of Subpart H of this Part.

- c) An owner or operator shall demonstrate that the existing landfill unit is a potentially usable waste landfill unit pursuant to 35 Ill. Adm. Code 817.105 and 817.106 as follows:

- 1) Collecting a representative sample of undiluted and unattenuated landfill leachate obtained in accordance 35 Ill. Adm. Code 817.103(b)(3); or
- 2) Extracting leachate from representative core samples obtained from the existing unit. The core samples shall be individually extracted by using ASTM method D3987-85 specified in 35 Ill. Adm. Code 817.103(a) and the resulting leachate shall be used for waste classification purposes.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 814.902 Standards for Operation and Closure

- a) All units regulated in this Subpart are subject to all requirements in 35 Ill. Adm. Code 817.Subpart C.
- b) If an owner or operator of a unit regulated under this Subpart is unable to obtain the representative leachate samples required pursuant to 35 Ill. Adm. Code 817.305(a), representative core samples shall be taken at appropriate locations in the unit. Each sample shall be individually subjected to ASTM Method D3987-85 extraction procedure prescribed in 35 Ill. Adm. Code 817.103(a). The resulting leachate from the extraction procedure shall be substituted for that to be collected pursuant to 35 Ill. Adm. Code 817.305(a).

(Source: Added at 18 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: STANDARDS FOR NEW SOLID WASTE LANDFILLS
- 2) Code Citation: 35 Ill. Adm. Code 811
- 3) Section Numbers: Adopted Action:
811.101 Amendment
811.301 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021, 1021.1, 1022, 1022.17 and 1027 [415 ILCS 5/5, 5/21, 5/21.1, 5/22, 5/22.17, and 5/27].
- 5) Effective Date of Amendments: August 1, 1994
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Do these proposed amendments contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: July 21, 1994
- 9) Notice of proposal published in Illinois Register: October 15, 1993 at 17 Ill. Reg. 17730.
- 10) Has JCAR Issued a Statement of Objection to These Proposed Amendments: No
- 11) Differences between proposal and final revisions: Certain minor editorial or typographical corrections made at the request of JCAR or the Code Unit are not detailed here. Subsection 811.101(c) has been added.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? None issued.
- 13) Will these proposed amendments replace emergency amendments currently in effect? No.
- 14) Are there any other amendments pending on this Part? No.
- 15) Summary and Purpose of the Rule:

A more detailed description is contained in the Board's opinion and order of July 21, 1994 in R90-23, which opinion and order is available from the address below.

On August 17, 1990, in R88-7, the Board adopted extensive regulations at 35 Ill. Adm. Code 810 through 815 and amendments to the existing regulations at 35 Ill. Adm. Code 807 to govern the landfill disposal of non-hazardous waste. See 14 Ill. Reg. 15785 (Part 812), 15817 (Part 815), 15814 (Part 813), 15850 (Part 814), 15832 (Part 807), 15838 (Part 810),

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and 15861 (Part 811) (effective Sept. 18, 1990). As Part of that extensive rulemaking proceeding, the Board provided at 35 Ill. Adm. Code 811.101(b) that the regulations would have a limited applicability to landfills that disposed exclusively of wastes generated by foundries and primary steel production facilities, provided those industries filed a rulemaking proposal relating specifically to those wastes prior to December 1, 1990. This was done in response to the participation of those industries in the R88-7 proceeding.

On December 12, 1990, the Board received a rulemaking proposal from the affected industries. After a February 4, 1991 response by Steel and Foundry to a December 20, 1993 request by the Board for more information, the Board adopted on February 7, 1991 a first First Notice Opinion and order; this proposal was published in the Illinois Register on March 1, 1991. (See 17 Ill. Reg. 3166 (Part 811), and 3155 (Part 814), and 3173 (Part 817) (Mar. 1, 1991).) The Board conducted public hearings on May 19, June 7, and June 21, 1991. The industries filed their first amended proposal on May 13, 1991. After filing a pre-hearing discussion draft on June 24, 1992, the industries filed their second amended proposal on March 4, 1993, with further documentation filed on May 13, 1993 in response to a March 26, 1993 Board hearing officer's order.

The present proposed amendments are based on the second amended industry proposal. 35 Ill. Adm. Code 807 and 810 through 815, and newly-proposed 35 Ill. Adm. Code 817 are involved in this proceeding.

The present rulemaking would establish requirements for certain landfills accepting wastes from the foundry and primary steel industries for disposal. These requirements would apply in place of those that would otherwise apply.

- 16) Information and questions regarding this adopted amendment shall be directed to:
Requests for copies of the Board's July 21, 1994 Opinion should reference Docket R90-26 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Questions regarding these rules may be directed to Anand Rao (312) 814-3956 or Kathleen Crowley (312) 814-6929 at the address above.

The full text of the adopted amendments begins on the next page:

POLLUTION CONTROL BOARD

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TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER I: SOLID WASTE AND SPECIAL WASTE HAULING

PART 811

STANDARDS FOR NEW SOLID WASTE LANDFILLS

SUBPART A: GENERAL STANDARDS FOR ALL LANDFILLS

Section

811.101 Scope and Applicability
 811.102 Location Standards
 811.103 Surface Water Drainage
 811.104 Survey Controls
 811.105 Compaction
 811.106 Daily Cover
 811.107 Operating Standards
 811.108 Salvaging
 811.109 Boundary Control
 811.110 Closure and Written Closure Plan
 811.111 Postclosure Maintenance

SUBPART B: INERT WASTE LANDFILLS

Section

811.201 Scope and Applicability
 811.202 Determination of Contaminated Leachate
 811.203 Design Period
 811.204 Final Cover
 811.205 Final Slope and Stabilization
 811.206 Leachate Sampling
 811.207 Load Checking

SUBPART C: PUTRESCIBLE AND CHEMICAL WASTE LANDFILLS

Section

811.301 Scope and Applicability
 811.302 Facility Location
 811.303 Design Period
 811.304 Foundation and Mass Stability Analysis
 811.305 Foundation Construction
 811.306 Liner Systems
 811.307 Leachate Drainage System
 811.308 Leachate Collection and Disposal System
 811.309 Leachate Treatment and Disposal Systems
 811.310 Landfill Gas Monitoring
 811.311 Landfill Gas Management Systems
 811.312 Landfill Gas Processing and Disposal Systems

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811.313 Intermediate Cover
 811.314 Final Cover System
 811.315 Hydrogeological Site Investigations
 811.316 Plugging and Sealing of Drill Holes
 811.317 Groundwater Impact Assessment
 811.318 Design, Construction, and Operation of Groundwater Monitoring Systems
 811.319 Groundwater Monitoring Programs
 811.320 Groundwater Quality Standards
 811.321 Waste Placement
 811.322 Final Slope and Stabilization
 811.323 Load Checking Program
 811.324 Corrective Action Measures for MSWLF Units
 811.325 Selection of remedy for MSWLF Units
 811.326 Implementation of the corrective action program at MSWLF Units

SUBPART D: MANAGEMENT OF SPECIAL WASTES AT LANDFILLS

Section

811.401 Scope and Applicability
 811.402 Notice to Generators and Transporters
 811.403 Special Waste Manifests
 811.404 Identification Record
 811.405 Recordkeeping Requirements
 811.406 Procedures for Excluding Regulated Hazardous Wastes

SUBPART E: CONSTRUCTION QUALITY ASSURANCE PROGRAMS

Section

811.501 Scope and Applicability
 811.502 Duties and Qualifications of Key Personnel
 811.503 Inspection Activities
 811.504 Sampling Requirements
 811.505 Documentation
 811.506 Foundations and Subbases
 811.507 Compacted Earth Liners
 811.508 Geomembranes
 811.509 Leachate Collection Systems

SUBPART G: FINANCIAL ASSURANCE

Section

811.700 Scope, Applicability and Definitions
 811.701 Upgrading Financial Assurance
 811.702 Release of Financial Institution
 811.703 Application of Proceeds and Appeals
 811.704 Closure and Postclosure Care Cost Estimates
 811.705 Revision of Cost Estimate
 811.706 Mechanisms for Financial Assurance
 Use of Multiple Financial Mechanisms

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811.708 Use of a Financial Mechanism for Multiple Sites
 811.709 Trust Fund for Unrelated Sites
 811.710 Trust Fund
 811.711 Surety Bond Guaranteeing Payment
 811.712 Surety Bond Guaranteeing Performance
 811.713 Letter of Credit
 811.714 Closure Insurance
 811.715 Self-insurance for Non-commercial Sites

APPENDIX A

Financial Assurance Forms

ILLUSTRATION A Trust Agreement

ILLUSTRATION B Certificate of Acknowledgment

ILLUSTRATION C Forfeiture Bond

ILLUSTRATION D Performance Bond

ILLUSTRATION E Irrevocable Standby Letter of Credit

ILLUSTRATION F Certificate of Insurance for Closure and/or Postclosure Care

ILLUSTRATION G Operator's Bond Without Surety

ILLUSTRATION H Operator's Bond With Parent Surety

ILLUSTRATION I Letter from Chief Financial Officer

APPENDIX B Section-by-Section Correlation Between the Requirements of the Federal MSWLF Regulations at 40 CFR 258 (1992) and the Requirements of Parts 810 through 814

AUTHORITY: Implementing Sections 5, 21, 21.1, 22, 22.17 and 28.1 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021, 1021.1, 1022, 1022.17, 1028.1 and 1027) [415 ILCS 5/5, 21, 21.1, 22, 22.17, 28.1 and 27].

SOURCE: Adopted in R88-7 at 14 Ill. Reg. 15861, effective September 19, 1990; amended in R92-19 at 17 Ill. Reg. 12413, effective July 19, 1993; amended in R93-10 at 18 Ill. Reg. 1308, effective January 13, 1994; expedited correction at 18 Ill. Reg. 7504, effective July 19, 1993; amended in R90-26 at 18 Ill. Reg. _____, effective _____.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

SUBPART A: GENERAL STANDARDS FOR ALL LANDFILLS

Section 811.101 Scope and Applicability

- a) The standards of this Part apply to all new landfills, except as otherwise provided in 35 Ill. Adm. Code 817, and except those regulated pursuant to 35 Ill. Adm. Code 700 through 749. Subpart A contains general standards applicable to all new landfills. Subpart B contains additional standards for new landfills which dispose of only inert wastes. Subpart C contains additional standards for new landfills which dispose of chemical and putrescible wastes.

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b) This Part shall not apply until two years after the effective date of this Part to new landfills solely receiving the following wastes generated by the following industries provided that proposed regulations of general applicability to that industry category are filed with the Board no later than December 1, 1990: wastes generated by foundries and primary steel production facilities and co-located combustion wastes generated by electric utilities; the requirements of 35 Ill. Adm. Code 807 shall apply to such landfills during the interim period of two years after the effective date of this Part. This Part shall become effective immediately after December 1, 1990 if no proposal has been filed by that date.

b) All general provisions of 35 Ill. Adm. Code 810 apply to this Part.

c) Standards for Municipal Solid Waste Landfills

- 1) The standards of this Part also apply to all new MSWLF units, as defined at 35 Ill. Adm. Code 810.103. The standards for the new MSWLF units include:

- A) The standards applicable to new landfills pursuant to subsection (a); and
 B) The standards adopted in this part that are identical in substance to the federal regulations promulgated by the U.S. Environmental Protection Agency pursuant Sections 4004 and 4010 of the RCRA relating to MSWLF program. Such standards are individually indicated as applicable to MSWLF units.

- 2) The Appendix Table 811-Appendix B provides a Section-by-Section correlation between the requirements of the federal MSWLF regulations at 40 CFR 258 (1992) and the requirements of this Part.

- 3) An owner or operator of a MSWLF unit shall also comply with any other applicable Federal rules, laws, regulations, or other requirements.

BOARD NOTE: Subsection (c)(3) is derived from 40 CFR 258.3 (1992).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

SUBPART C: PUTRESCIBLE AND CHEMICAL WASTE LANDFILLS

Section 811.301 Scope and Applicability

In addition to the requirements of Subpart A, the standards of this Subpart apply to all landfills in which chemical and putrescible wastes are to be placed, except as otherwise provided in 35 Ill. Adm. Code 817.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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1) Heading of the Part: STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES2) Code citation: 35 Ill. Adm. Code 7243) Section numbers: Adopted action:

724.290

Amendment

724.414

Amendment

4) Statutory authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 27].5) Effective date of amendments: July 29, 19946) Does this rulemaking contain an automatic repeal date?: No.7) Do these amendments contain incorporations by reference?

Yes. 35 Ill. Adm. Code 720.111 constitutes the central listing of incorporations by reference for all documents referenced throughout 35 Ill. Adm. Code 700 through 730, 738, and 739. The federal amendments upon which this proceeding is based updated a number of the documents incorporated in Section 720.111, thus resulting in amendments to that Section. Additionally, amendments were necessary to references to those documents and Section 720.111 in various locations in Parts 703, 721, 724, 725, 726, and 728.

8) Date filed in Board's principal office: Order adopted June 23, 1994.9) Notice of proposal published in Illinois Register:

May 6, 1994, at 18 Ill. Reg. 6641

10) Has JCAR issued a Statement of Objections to these rules? No.

Section 22.4(a) of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1022.4(a)) [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version:

The Board tabulates the suggested corrections and our resulting actions as follows (sources of suggested corrections are indicate with (1) indicating JCAR, (2) indicating the Agency, (3) indicating U.S. EPA, and (4) indicating Board-initiated; * denotes Section not included in proposed rule):

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Section(Source)Suggested CorrectionBoard Action

724 Table of Contents(4)

Change Section 724.324 to 724.323

Done

724.414(c) & (e)(2)(B)(2)

Correct incorporation to cite Section 720.111

Done; error made in R85-22 (Dec. 20, 1984) in adding subsection

12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?

Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR. However, as indicated above, during the public comment period JCAR staff informally submitted questions and suggestions on the proposed amendments in larger proceeding of which this rulemaking is a part. The Board incorporated changes to the amendments based on the JCAR comments, but JCAR made no comments or suggestions with regard to this Part.

13) Will these amendments replace an emergency amendments currently in effect? No.

14) Are there any other amendments pending on this Part? No.

15) Summary and purpose of amendments:

A more detailed description is contained in the Board's opinion of June 30, 1994 in R94-7, which Opinion is available from the address below. Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

The broader proceeding, of which this notice is a single Part, updates 35 Ill. Adm. Code 703, 720, 721, 724, 725, 726, and 728 of the Illinois RCRA Subtitle C rules to correspond with amendments adopted by U.S. EPA that appeared in the Federal Register during the period, U.S. EPA undertook four regulatory actions under its RCRA Subtitle C Regulations, as follows:

58 Fed. Reg. 38816, July 20, 1993: Revision of "Guideline on Air Quality Models" and codification as 40 CFR 51, appendix W; amendment of all references to the guideline in BIF rules

58 Fed. Reg. 42466, Aug. 9, 1993: Determination not to list four large-volume wastes from Coal-fired electric utility power plants as Subpart D listed hazardous wastes (not resulting in regulatory

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amendments)

58 Fed. Reg. 46040, Aug. 31, 1993: Update of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", EPA Publication SW-846, to third edition, and amendments to incorporations by reference

58 Fed. Reg. 59598, Nov. 9, 1993: Amendment of the health-based standards for qualifying for the Bevill exemption from regulation for BIF residues

The U.S. EPA action of July 20, 1993 was actually an air pollution control rulemaking that incidentally impacted the RCRA Subtitle C corrective actions. Formerly incorporated into the federal regulations by reference, U.S. EPA has updated and codified its "Guideline on Air Quality Models (Revised)" and its two supplements in the federal air regulations. U.S. EPA simultaneously amended several references to the Guideline, including those in the RCRA Subtitle C regulations that pertain to boilers and industrial furnaces (BIFs) that burn hazardous wastes. U.S. EPA also amended the "Screening Procedures for Estimating Air Quality Impact of Stationary Sources, Revised" to later version.

U.S. EPA amended the analytical procedures applicable to RCRA Subtitle C-regulated hazardous wastes on August 31, 1993. U.S. EPA updated "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-846 to its third edition with one update. U.S. EPA amended various appendices to refer to the SW-846 method. U.S. EPA also added a bomb-acid digestion method for analyzing waste-derived fuel and deleted an analytical method for chlorinated dibenzodioxins and dibenzofurans.

U.S. EPA adopted regulations for the burning of hazardous waste in boilers and industrial furnaces (the BIF rules) on February 21, 1991. Those regulations included two tests for determining whether the residues derived from Bevill devices, such as kilns, primary smelters, boilers, etc. were exempted from hazardous waste regulation. The first test is whether the levels of hazardous constituents was not significantly higher than the normal residue of combustion. The second test is whether levels of contaminants in the residues do not exceed specified health-based levels. On November 9, 1993, U.S. EPA amended the Bevill exclusion by amending the second, health-based levels, test. U.S. EPA substituted the land disposal restriction contaminant levels for F019 nonwastewaters from part 268 for the health-based levels. U.S. EPA amended its regulations to stay the effect of the levels listed in appendix VII until further federal action. Further, U.S. EPA has provided that an owner or operator has demonstrated a good-faith effort to detect a constituent, it is deemed in compliance with the alternative levels.

The Board followed the federal leads and amended the Illinois RCRA Subtitle C regulations accordingly. In addition to the federally-derived

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amendments, the Board made a number of "housekeeping" amendments, revising codification style and making a small number of corrections. We changed references to the United States Environmental Protection Agency "U.S. EPA". We further began to refer to the "U.S. EPA hazardous waste number" and "U.S. EPA document number" for similar clarity. The Board also continued our move toward presentation of equations and expressions in standard scientific notation. Finally, the Board also used this opportunity to make a number of corrections to punctuation, grammar, and cross-reference format throughout the opened text.

In particular, the amendments to 35 Ill. Adm. Code .724 flow from the federal update to SW-846. A number of corrective amendments are also involved in this Part.

16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge, Attorney
Illinois Pollution Control Board
100 W. Randolph 11-500
Chicago, IL 60610
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NOTE: In this Part, superscript number or letters are denoted by parentheses; subscript are denoted by brackets.

The full text of the adopted amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

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SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

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AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027) [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R82-19, 53 PCB 131, at 7 Ill. Reg. 14059, effective October 12, 1983; amended in R84-9 at 9 Ill. Reg. 11964, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1136, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14119, effective August 12, 1986; amended in R86-28 at 11

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Ill. Reg. 6138, effective March 24, 1987; amended in R86-28 at 11 Ill. Reg. 8684, effective April 21, 1987; amended in R86-46 at 11 Ill. Reg. 13577, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19397, effective November 12, 1987; amended in R87-39 at 12 Ill. Reg. 13135, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 458, effective December 28, 1988; amended in R89-1 at 13 Ill. Reg. 18527, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14511, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16658, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9654, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14572, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9833, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17702, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5806, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20830, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6973, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. _____, effective _____.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

SUBPART J: TANK SYSTEMS

Section 724.290 Applicability

The requirements of this Subpart apply to owners and operators of facilities that use tank systems for storing or treating hazardous waste, except as otherwise provided in subsections (a), (b) or (c) below or in Section 724.101.

a) Tank systems that are used to store or treat hazardous waste which that contains no free liquids and are situated inside a building with an impermeable floor are exempted from the requirements in Section 724.293. To demonstrate the absence or presence of free liquids in the stored or treated waste, the following test must be used: U.S. EPA Method 9095 (Paint Filter Liquids Test) as described in "Test Methods for Evaluating Solid Wastes Physical/Chemical Methods" U.S. EPA Publication No. SW-846), incorporated by reference in 35 Ill. Adm. Code 720.1117-~~must-be-used~~.

b) Tank systems, including sumps, are defined in 35 Ill. Adm. Code 720.110, that serve as part of a secondary containment system to collect or contain releases of hazardous wastes are exempted from the requirements in Section 724.293(a).

c) Tanks, sumps and other such collection devices or systems used in conjunction with drip pads, as defined in 35 Ill. Adm. Code 720.110 and regulated under Subpart W of this Part, must meet the requirements of this Subpart.

SUBPART N: LANDFILLS

Section 724.414 Special Requirements for Bulk and Containerized Liquids

a) This subsection corresponds with 40 CFR 264.314(a), which pertains to

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pre May 8, 1985 actions, a date long since passed. This statement maintains structural consistency with U.S.EPA rules.

b) The placement of bulk or non-containerized liquid hazardous waste or hazardous waste containing free liquids (whether or not absorbents have been added) in any landfill is prohibited.

c) To demonstrate the absence or presence of free liquids in either a containerized or a bulk waste, the following test must be used: Method 9095 (Paint Filter Liquids Test) as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods", (U.S. EPA Publication No. SW-846, incorporated by reference in 35 Ill. Adm. Code ~~721~~ 720.111).

d) Containers holding free liquids must not be placed in a landfill unless:

- 1) All free-standing liquid:
 - A) has been removed by decanting or other methods;
 - B) has been mixed with absorbent or solidified so that free-standing liquid is no longer observed; or
 - C) has been otherwise eliminated; or
- 2) The container is very small, such as an ampule; or
- 3) The container is designed to hold free liquids for use other than storage, such as a battery or capacitor; or
- 4) The container is a lab pack as defined in Section 724.416 and is disposed of in accordance with Section 724.416.

e) Sorbents used to treat free liquids to be disposed of in landfills must be nonbiodegradable. Nonbiodegradable sorbents are: materials listed or described in subsection (e)(1) below; materials that pass one of the tests in subsection (e)(2) below; or materials that are determined by the Board to be nonbiodegradable through the 35 Ill. Adm. Code 106 adjusted standard process.

1) Nonbiodegradable sorbents are:

A) Inorganic minerals, other inorganic materials, and elemental carbon (e.g., aluminosilicates, clays, smectites, Fuller's earth, bentonite, calcium bentonite, montmorillonite, calcined montmorillonite, kaolinite, micas (illite), vermiculites, zeolites; calcium carbonate (organic free limestone); oxides/hydroxides, alumina, lime, silica (sand), diatomaceous earth; perlite (volcanic glass); expanded volcanic rock; volcanic ash; cement kiln dust; fly ash; rice hull ash; activated charcoal (activated carbon)); or

B) High molecular weight synthetic polymers (e.g., polyethylene, high density polyethylene (HDPE), polypropylene, polystyrene, poly urethane, polycrylate, polynorborene, polyisobutylene, ground synthetic rubber, cross-linked allystrene and tertiary butyl copolymers). This does not include polymers derived from biological material or polymers specifically designed to be degradable; or

C) Mixtures of these nonbiodegradable materials.

2) Tests for nonbiodegradable sorbents:

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- A) The sorbent material is determined to be nonbiodegradable under ASTM Method G21-70 (1984a) -- "Standard Practice for Determining Resistance of Synthetic Polymer Materials to Fungi", incorporated by reference in 35 Ill. Adm. Code 720.111; or
- B) The sorbent material is determined to be nonbiodegradable under ASTM Method G22-76 (1984b) -- "Standard Practice for Determining Resistance of Plastics to Bacteria", incorporated by reference in 35 Ill. Adm. Code 720.111.
- f) The placement of any liquids which that is not a hazardous waste in a landfill is prohibited (35 Ill. Adm. Code 729.311).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

- 1) Heading of the Part: STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTE AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES
- 2) Code citation: 35 Ill. Adm. Code 726
- 3) Section numbers: Adopted action:
- | | |
|----------------|-----------|
| 726.203 | Amendment |
| 726.204 | Amendment |
| 726.206 | Amendment |
| 726.212 | Amendment |
| 726.Appendix G | Amendment |
- 4) Statutory authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 27].

5) Effective date of amendments: July 29, 1994

6) Does this rulemaking contain an automatic repeal date? No.

7) Do these amendments contain incorporations by reference?

Yes. 35 Ill. Adm. Code 720.111 constitutes the central listing of incorporations by reference for all documents referenced throughout 35 Ill. Adm. Code 700 through 730, 738, and 739. The federal amendments upon which this proceeding is based updated a number of the documents incorporated in Section 720.111, thus resulting in amendments to that Section. Additionally, amendments were necessary to references to those documents and Section 720.111 in various locations in Parts 703, 721, 724, 725, 726, and 728.

8) Date filed in Board's principal office: Order adopted June 23, 1994.

9) Notice of proposal published in Illinois Register:

May 6, 1994, at 18 Ill. Reg. 6600

10) Has JCAR issued a Statement of Objections to these rules? No.

Section 22.4(a) of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1022.4(a)) [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version:

The Board tabulates the suggested corrections and our resulting actions as

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follows (sources of suggested corrections are indicate with (1) indicating JCAR, (2) indicating the Agency, (3) indicating U.S. EPA, and (4) indicating Board-initiated; * denotes Section not included in proposed rule):

Section(Source)	Suggested Correction	Board Action
726.212(b)(1)(2)	Delete " " from before "Test"	No change because underlining indicates addition of quote mark
12)	Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?	

Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR. However, as indicated above, during the public comment period JCAR staff informally submitted questions and suggestions on the proposed amendments in larger proceeding of which this rulemaking is a part. The Board incorporated changes to the amendments based on the JCAR comments, but JCAR made no comments or suggestions with regard to this part.

13) Will these amendments replace an emergency amendments currently in effect?
No.

14) Are there any other amendments pending on this Part? No.

15) Summary and purpose of amendments:

A more detailed description is contained in the Board's opinion of June 30, 1994 in R94-7, which Opinion is available from the address below. Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

The broader proceeding, of which this notice is a single Part, updates 35 Ill. Adm. Code 703, 720, 721, 724, 725, 726, and 728 of the Illinois RCRA Subtitle C rules to correspond with amendments adopted by U.S. EPA that appeared in the Federal Register during the period, U.S. EPA undertook four regulatory actions under its RCRA Subtitle C Regulations, as follows:

58 Fed. Reg. 38816, July 20, 1993: Revision of "Guideline on Air Quality Models" and codification as 40 CFR 51, appendix W; amendment of all references to the guideline in BIF rules

58 Fed. Reg. 42466, Aug. 9, 1993: Determination not to list four large-volume wastes from Coal-fired electric utility power plants as

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Subpart D listed hazardous wastes (not resulting in regulatory amendments)

58 Fed. Reg. 46040, Aug. 31, 1993: Update of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", EPA Publication SW-846, to third edition, and amendments to incorporations by reference

58 Fed. Reg. 59598, Nov. 9, 1993: Amendment of the health-based standards for qualifying for the Bevill exemption from regulation for BIF residues

The U.S. EPA action of July 20, 1993 was actually an air pollution control rulemaking that incidentally impacted the RCRA Subtitle C corrective actions. Formerly incorporated into the federal regulations by reference, U.S. EPA has updated and codified its "Guideline on Air Quality Models (Revised)" and its two supplements in the federal air regulations. U.S. EPA simultaneously amended several references to the Guideline, including those in the RCRA Subtitle C regulations that pertain to boilers and industrial furnaces (BIFs) that burn hazardous wastes. U.S. EPA also amended the "Screening Procedures for Estimating Air Quality Impact of Stationary Sources, Revised" to later version.

U.S. EPA amended the analytical procedures applicable to RCRA Subtitle C-regulated hazardous wastes on August 31, 1993. U.S. EPA updated "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-846 to its third edition with one update. U.S. EPA amended various appendices to refer to the SW-846 method. U.S. EPA also added a bomb-acid digestion method for analyzing waste-derived fuel and deleted an analytical method for chlorinated dibenzodioxins and dibenzofurans.

U.S. EPA adopted regulations for the burning of hazardous waste in boilers and industrial furnaces (the BIF rules) on February 21, 1991. Those regulations included two tests for determining whether the residues derived from Bevill devices, such as kilns, primary smelters, boilers, etc. were exempted from hazardous waste regulation. The first test is whether the levels of hazardous constituents was not significantly higher than the normal residue of combustion. The second test is whether levels of contaminants in the residues do not exceed specified health-based levels. On November 9, 1993, U.S. EPA amended the Bevill exclusion by amending the second, health-based levels, test. U.S. EPA substituted the land disposal restriction contaminant levels for F039 nonwastewaters from part 268 for the health-based levels. U.S. EPA amended its regulations to stay the effect of the levels listed in appendix VII until further federal action. Further, U.S. EPA has provided that an owner or operator has demonstrated a good-faith effort to detect a constituent, it is deemed in compliance with the alternative levels.

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The Board followed the federal leads and amended the Illinois RCRA Subtitle C regulations accordingly. In addition to the federally-derived amendments, the Board made a number of "housekeeping" amendments, revising codification style and making a small number of corrections. We changed references to the United States Environmental Protection Agency "U.S. EPA". We further began to refer to the "U.S. EPA hazardous waste number" and "U.S. EPA document number" for similar clarity. The Board also continued our move toward presentation of equations and expressions in standard scientific notation. Finally, the Board also used this opportunity to make a number of corrections to punctuation, grammar, and cross-reference format throughout the opened text.

In particular, the amendments to 35 Ill. Adm. Code 726 "Guideline on Air Quality Models" and the amendment of the health-based standards for qualifying for the Bevill exemption from regulation for BIF residues. A number of corrective amendments are also involved in this Part.

16) Information and questions regarding these adopted amendments shall be directed to:

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Chicago, IL 60610
312-814-6924

NOTE: In this Part, superscript number or letters are denoted by parentheses; subscript are denoted by brackets.

The full text of the adopted amendments begins on the next page:

POLLUTION CONTROL BOARD

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS
PART 726
STANDARDS FOR THE MANAGEMENT OF
SPECIFIC HAZARDOUS WASTE AND SPECIFIC TYPES
OF HAZARDOUS WASTE MANAGEMENT FACILITIES
SUBPART C: RECYCLABLE MATERIALS USED IN A
MANNER CONSTITUTING DISPOSAL

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726.121	Standards applicable to storers, who are not the ultimate users, of materials that are to be used in a manner that constitutes disposal
726.122	Standards applicable to users of materials that are used in a manner that constitutes disposal
726.123	

SUBPART D: HAZARDOUS WASTE BURNED FOR ENERGY RECOVERY

Section	Applicability (Repealed)
726.130	Prohibitions (Repealed)
726.132	Standards applicable to generators of hazardous waste fuel (Repealed)
726.133	Standards applicable to transporters of hazardous waste fuel (Repealed)
726.134	Standards applicable to marketers of hazardous waste fuel (Repealed)
726.135	Standards applicable to burners of hazardous waste fuel (Repealed)
726.136	Conditional exemption for spent materials and by-products exhibiting a characteristic of hazardous waste (Repealed)

SUBPART E: USED OIL BURNED FOR ENERGY RECOVERY (Repealed)

Section	Applicability (Repealed)
726.140	Prohibitions (Repealed)
726.142	Standards applicable to generators of used oil burned for energy recovery (Repealed)
726.143	Standards applicable to marketers of used oil burned for energy recovery (Repealed)
726.144	Standards applicable to burners of used oil burned for energy recovery (Repealed)

SUBPART F: RECYCLABLE MATERIALS UTILIZED FOR
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APPLICABILITY AND REQUIREMENTS

Section 726.170 Applicability and requirements

SUBPART G: SPENT LEAD-ACID BATTERIES
BEING RECLAIMED

Section 726.180 Applicability and requirements

SUBPART H: HAZARDOUS WASTE BURNED IN BOILERS
AND INDUSTRIAL FURNACES

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726.201 Management prior to burning
726.202 Permit standards for burners
726.203 Interim status standards for burners
726.204 Standards to control Organic Emissions
726.205 Standards to control PM
726.206 Standards to control Metals Emissions
726.207 Standards to control HCl and Chlorine Gas Emissions
726.208 Small quantity On-site Burner Exemption
726.209 Low risk waste Exemption
726.210 Waiver of DRE trial burn for Boilers
726.211 Standards for direct Transfer
726.212 Regulation of Residues
726.219 Extensions of Time

APPENDIX A Tier I and Tier II Feed Rate and Emissions Screening Limits for Metals

APPENDIX B Tier I Feed Rate Screening Limits for Total Chlorine

APPENDIX C Tier II Emission Rate Screening Limits for Free Chlorine and Hydrogen Chloride

APPENDIX D Reference Air Concentrations

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APPENDIX G Health-Based Limits for Exclusion of Waste-Derived Residues

APPENDIX H Potential PICs for Determination of Exclusion of Waste-Derived Residues

APPENDIX I Methods Manual for Compliance with BIF Regulations

APPENDIX J Guideline on Air Quality Models

APPENDIX K Lead-Bearing Materials That May be Processed in Exempt Lead Smelters

APPENDIX L Nickel or Chromium-Bearing Materials that may be Processed in Exempt Nickel-Chromium Recovery Furnaces

TABLE A Exempt Quantities for Small Quantity Burner Exemption

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4

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APPLICABILITY AND REQUIREMENTS

and 1027) [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R85-22 at 10 Ill. Reg. 1162, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14156, effective August 12, 1986; amended in R87-26 at 12 Ill. Reg. 2900, effective January 15, 1988; amended in R89-1 at 13 Ill. Reg. 18606, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14533, effective August 22, 1990; amended in R90-11 at 15 Ill. Reg. 9727, effective June 17, 1991; amended in R91-13 at 16 Ill. Reg. 9858, effective June 9, 1992; amended in R91-10 at 17 Ill. Reg. 5865, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20904, effective November 22, 1993; amended in R94-7 at 18 Ill. Reg. _____, effective _____.

Section 726.203 Interim status-standards Status Standards for Burners

a) Purpose, scope, applicability.

1) General.

A) The purpose of this Section is to establish minimum national standards for owners and operators of "existing" BIFs that burn hazardous waste where such standards define the acceptable management of hazardous waste during the period of interim status. The standards of this Section apply to owners and operators of existing facilities until either a permit is issued under Section 726.202(d) or until closure responsibilities identified in this Section are fulfilled.

B) "Existing" or "in existence" means a BIF for which the owner or operator filed a certification of precompliance with USEPA U.S. EPA pursuant to 40 CFR 266.103(b), incorporated by reference in subsection (b), below; provided, however, that USEPA U.S. EPA has not determined that the certification is invalid.

C) If a BIF is located at a facility that already has a RCRA permit or interim status, then the owner or operator shall comply with the applicable regulations dealing with permit modifications in 35 Ill. Adm. Code 703.280 or changes in interim status in 35 Ill. Adm. Code 703.155.

2) Exemptions. The requirements of this Section do not apply to hazardous waste and facilities exempt under Sections 726.200(b) or 726.208.

3) Prohibition on burning dioxin-listed wastes. The following hazardous waste listed for dioxin and hazardous waste derived from any of these wastes must not be burned in a BIF operating under interim status: ~~USEPA-Hazardous-Waste-Numbers~~ U.S. EPA hazardous waste numbers F020, F021, F022, F023, F026 and F027.

4) Applicability of 35 Ill. Adm. Code 725 standards. Owners and operators of BIFs that burn hazardous waste and are operating under interim status are subject to the following provisions of 35 Ill. Adm. Code 725, except as provided otherwise by this Section:

A) In subpart A of this part (General), 35 Ill. Adm. Code

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725.104;

- B) In Subpart B of this Part (General facility standards), 35 Ill. Adm. Code 725.111 through 725.117;
 - C) In Subpart C of this Part (Preparedness and prevention), 35 Ill. Adm. Code 725.131 through 725.137;
 - D) In Subpart D of this Part (Contingency plan and emergency procedures), 35 Ill. Adm. Code 725.151 through 725.156;
 - E) In Subpart E of this Part (Manifest system, recordkeeping and reporting), 35 Ill. Adm. Code 725.171 - 725.177, except that 35 Ill. Adm. Code 725.171, 725.172 and 725.176 do not apply to owners and operators of on-site facilities that do not receive any hazardous waste from off-site sources;
 - F) In Subpart G of this Part (Closure and post-closure), 35 Ill. Adm. Code 725.211 - 725.215;
 - G) In Subpart H of this Part (Financial requirements), 35 Ill. Adm. Code 725.241, 725.242, 725.243 and 725.247 through 725.251, except that the State of Illinois and the Federal government are exempt from the requirements of 35 Ill. Adm. Code 725.247; and
 - H) In Subpart BB of this Part (Air emission standards for equipment leaks), except 35 Ill. Adm. Code 725.950(a).
- 5) Special requirements for furnaces. The following controls apply during interim status to industrial furnaces (e.g., kilns, cupolas) that feed hazardous waste for a purpose other than solely as an ingredient (see subsection (a)(5)(B) above) at any location other than the hot end where products are normally discharged or where fuels are normally fired:

- A) Controls.
 - i) The hazardous waste must be fed at a location where combustion gas temperatures are at least 1800° F;
 - ii) The owner or operator shall determine that adequate oxygen is present in combustion gases to combust organic constituents in the waste and retain documentation of such determination in the facility record;
 - iii) For cement kiln systems, the hazardous waste must be fed into the kiln; and
 - iv) The HC controls of Section 726.204(f) or subsection (c)(5) below apply upon certification of compliance under subsection (c), below, irrespective of the CO level achieved during the compliance test.
- B) Burning hazardous waste solely as an ingredient. A hazardous waste is burned for a purpose other than "solely as an ingredient" if it meets either of these criteria:
 - i) The hazardous waste has a total concentration of nonmetal compounds listed in 35 Ill. Adm. Code 721.Appendix H, exceeding 500 ppm by weight, as fired and so is considered to be burned for destruction. The concentration of nonmetal compounds in a waste

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as-generated may be reduced to the 500 ppm limit by bona fide treatment that removes or destroys nonmetal constituents. Blending for dilution to meet the 500 ppm limit is prohibited and documentation that the waste has not been impermissibly diluted must be retained in the facility record; or

- ii) The hazardous waste has a heating value of 5,000 Btu/lb or more, as fired, and so is considered to be burned as fuel. The heating value of a waste as-generated may be reduced to below the 5,000 Btu/lb limit by bona fide treatment that removes or destroys organic constituents. The heating value of a waste as-generated may be reduced to below the 5,000 Btu/lb limit by bona fide treatment that removes or destroys organic constituents. Blending to augment the heating value to meet the 5,000 Btu/lb limit is prohibited and documentation that the waste has not been impermissibly blended must be retained in the facility record.

- 6) Restrictions on burning hazardous waste that is not a fuel. Prior to certification of compliance under subsection (c), below, owners and operators shall not feed hazardous waste that has a heating value less than 5000 Btu/lb, as generated, (except that the heating value of a waste as-generated may be increased to above the 5,000 Btu/lb limit by bona fide treatment; however blending to augment the heating value to meet the 5,000 Btu/lb limit is prohibited and records must be kept to document that impermissible blending has not occurred) in a BIF, except that:
 - A) Hazardous waste may be burned solely as an ingredient; or
 - B) Hazardous waste may be burned for purposes of compliance testing (or testing prior to compliance testing) for a total period of time not to exceed 720 hours; or
 - C) Such waste may be burned if the Agency has documentation to show that, prior to August 21, 1991:
 - i) The BIF was operating under the interim status standards for incinerators or thermal treatment units, 35 Ill. Adm. Code 725.Subparts O or P; and
 - ii) The BIF met the interim status eligibility requirements under 35 Ill. Adm. Code 703.153 for 35 Ill. Adm. Code 725.Subparts O or P; and
 - iii) Hazardous waste with a heating value less than 5,000 Btu/lb was burned prior to that date; or
 - D) Such waste may be burned in a halogen acid furnace if the waste was burned as an excluded ingredient under 35 Ill. Adm. Code 721.102(e) prior to February 21, 1991, and documentation is kept on file supporting this claim.
- 7) Direct transfer to the burner. If hazardous waste is directly transferred from a transport vehicle to a BIF without the use of a storage unit, the owner and operator shall comply with Section

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- b) Certification of pre-compliance.
- 1) The Board incorporates by reference 40 CFR 266.103(b)(1992); amended at 57 Fed. Reg. 38564, August 25, 1992. This Section incorporates no later editions or amendments.
 - 2) Certain owners and operators were required to file a certification of pre-compliance with USEPA U.S. EPA by August 21, 1991, pursuant to 40 CFR 266.103(b). No separate filing is required with the Agency.
- c) Certification of compliance. The owner or operator shall conduct emissions testing to document compliance with the emissions standards of Sections 726.204(b) through (e), 726.205, 726.206, 726.207, and subsection (a)(5)(A)(iv) above under the procedures prescribed by this subsection, except under extensions of time provided by subsection (c)(7) below. Based on the compliance test, the owner or operator shall submit to the Agency, on or before August 21, 1992, a complete and accurate "certification of compliance" (under subsection (c)(4) below) with those emission standards establishing limits on the operating parameters specified in subsection (c)(1) below.
- 1) Limits on operating conditions. The owner or operator shall establish limits on the following parameters based on operations during the compliance test (under procedures prescribed in subsection (c)(4)(D) below) or as otherwise specified and include these limits with the certification of compliance. The BIF must be operated in accordance with these operating limits and the applicable emissions standards of Section 726.204(b) through (e), 726.205, 726.206, 726.207 and subsection (a)(5)(A)(iv) above at all times when there is hazardous waste in the unit.
 - A) Feed rate of total hazardous waste and (unless complying the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e)), pumpable hazardous waste;
 - B) Feed rate of each metal in the following feedstreams:
 - i) Total feedstreams, except that industrial furnaces that must comply with the alternative metals implementation approach under subsection (c)(3)(B) below must specify limits on the concentration of each metal in collected PM in lieu of feed rate limits for total feedstreams; and facilities that comply with Tier I or Adjusted Tier I metals feed rate screening limits may set their operating limits at the metal feed rate screening limits determined under subsection 726.206(b) or (e).
- BOARD NOTE: Federal subsections 266.103(c)(1)(i)(A)(1) and (C)(1)(ii)(A)(2) are condensed into the above subsection.
- ii) Total hazardous waste feed (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e)); and

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- iii) Total pumpable hazardous waste feed (unless complying with Tier I or Adjusted Tier I metals feed rate screening limits under subsection 726.206(b) or (e)).
- C) Total feed rate of total chlorine and chloride in total feed streams, except that facilities that comply with Tier I or Adjusted Tier I feed rate screening limits may set their operating limits at the total chlorine and chloride feed rate screening limits determined under subsection 726.207(b)(1) or (e);
- D) Total feed rate of ash in total feed streams, except that the ash feed rate for cement kilns and light-weight aggregate kilns is not limited;
- E) CO concentration, and where required, HC concentration in stack gas. When complying with the CO controls of Section 726.204(b), the CO limit is 100 ppmv, and when complying with the HC controls of Section 726.204(c), the HC limit is 20 ppmv. When complying with the CO controls of Section 726.204(c), the CO limit is established based on the compliance test;
- F) Maximum production rate of the device in appropriate units when producing normal product unless complying with Tier I or Adjusted Tier I feed rate screening limits for chlorine under subsection 726.207(b)(1) or (e) and for all metals under subsection 726.207(b) or (e), and the uncontrolled particulate emissions do not exceed the standard under subsection 726.205;
- G) Maximum combustion chamber temperature where the temperature measurement is as close to the combustion zone as possible and is upstream of any quench water injection, (unless complying with the Tier I adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e));
- H) Maximum flue gas temperature entering a PM control device (unless complying with Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e));
- I) For systems using wet scrubbers, including wet ionizing scrubbers (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e) and the total chlorine and chloride feed rate screening limits under Section 726.207(b)(1) or (e)):
 - i) Minimum liquid to flue gas ratio;
 - ii) Minimum scrubber blowdown from the system or maximum suspended solids content of scrubber water; and
 - iii) Minimum pH level of the scrubber water;
- J) For systems using venturi scrubbers, the minimum differential gas pressure across the venturi (unless complying the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e) and the total chlorine and chloride feed rate screening limits under Section 726.207(b)(1) or (e));

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be established during compliance testing under this subsection (c)(3) only on the following parameters: Feed rate of total hazardous waste; Total feed rate of total chlorine and chloride in total feed streams; Total feed rate of ash in total feed streams, except that the ash feed rate for cement kilns and light-weight aggregate kilns is not limited; CO concentration, and where required, HC concentration in stack gas; Maximum production rate of the device in appropriate units when producing normal product; or

- iii) Conduct compliance testing to determine compliance with the metals standards to establish limits on the operating parameters of subsection (c)(1)7 above; only after the kiln system has been conditioned to enable it to reach equilibrium with respect to metals fed into the system and metals emissions. During conditioning, hazardous waste and raw materials having the same metals content as will be fed during the compliance test must be fed at the feed rates that will be fed during the compliance test.

C) Conduct of compliance testing.

- i) If compliance with all applicable emissions standards of Sections 726.204 through 726.207 is not demonstrated simultaneously during a set of test runs, the operating conditions of additional test runs required to demonstrate compliance with remaining emissions standards must be as close as possible to the original operating conditions.

- ii) Prior to obtaining test data for purposes of demonstrating compliance with the applicable emissions standards of Sections 726.204 through 726.207 or establishing limits on operating parameters under this Section, the facility must operate under compliance test conditions for a sufficient period to reach steady-state operations. Industrial furnaces that recycle collected PM back into the furnace and that comply with subsections (c)(3)(B)(i) or (C)(3)(B)(ii)7 above, however, need not reach steady state conditions with respect to the flow of metals in the system prior to beginning compliance testing for metals.

- iii) Compliance test data on the level of an operating parameter for which a limit must be established in the certification of compliance must be obtained during emissions sampling for the pollutant(s) (i.e., metals, PM, HCl/chlorine gas, organic compounds) for which the parameter must be established as specified by subsection (c)(1)7 above.

- 4) Certification of compliance. Within 90 days of completing compliance testing, the owner or operator shall certify to the

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Agency compliance with the emissions standards of Sections 726.204(b), (c) and (e), 726.205, 726.206, 726.207, and subsection (a)(5)(A)(iv) above. The certification of compliance must include the following information:

A) General facility and testing information including:

- i) USEPA U.S. EPA facility ID number;
- ii) Facility name, contact person, telephone number and address;
- iii) Person responsible for conducting compliance testing, including company name, address and telephone number, and a statement of qualifications;
- iv) Date(s) of each compliance test;
- v) Description of BIF tested;
- vi) Person responsible for QA/QC, title and telephone number, and statement that procedures prescribed in the QA/QC plan submitted under Section 726.203(c)(2)(C) have been followed, or a description of any changes and an explanation of why changes were necessary.
- vii) Description of any changes in the unit configuration prior to or during testing that would alter any of the information submitted in the prior notice of compliance testing under subsection (c)(2)7 above; and an explanation of why the changes were necessary;
- viii) Description of any changes in the planned test conditions prior to or during the testing that alter any of the information submitted in the prior notice of compliance testing under subsection (c)(2)7 above; and an explanation of why the changes were necessary; and
- ix) The complete report on results of emissions testing.

B) Specific information on each test including:

- i) Purpose(s) of test (e.g., demonstrate conformance with the emissions limits for PM, metals, HCl, chlorine gas and CO)
- ii) Summary of test results for each run and for each test including the following information: Date of run; Duration of run; Time-weighted average and highest hourly rolling average CO level for each run and for the test; Highest hourly rolling average HC level, if HC monitoring is required for each run and for the test; If dioxin and furan testing is required under Section 726.204(e), time-weighted average emissions for each run and for the test of chlorinated dioxin and furan emissions, and the predicted maximum annual average ground level concentration of the toxicity equivalency factor (defined in Section 726.200(g)); Time-weighted average PM emissions for each run and for the test; Time-weighted average HCl and chlorine

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gas emissions for each run and for the test; time-weighted average emissions for the metals subject to regulation under Section 726.206 for each run and for the test; and QA/QC results.

- C) Comparison of the actual emissions during each test with the emissions limits prescribed by Sections 726.204(b), (c) and (e), 726.205, 726.206 and 726.207 and established for the facility in the certification of pre-compliance under subsection (b), above.

- D) Determination of operating limits based on all valid runs of the compliance test for each applicable parameter listed in subsection (c)(1), above, using either of the following procedures:

i) Instantaneous limits. A parameter must be measured and recorded on an instantaneous basis (i.e., the value that occurs at any time) and the operating limit specified as the time-weighted average during all runs of the compliance test; or

ii) Hourly rolling average basis. The limit for a parameter must be established and continuously monitored on an hourly rolling average basis, as defined in Section 726.200(g). The operating limit for the parameter must be established based on compliance test data as the average over all test runs of the highest hourly rolling average value for each run.

iii) Rolling average limits for carcinogenic metals and lead. Feed rate limits for the carcinogenic metals and lead must be established either on an hourly rolling average basis as prescribed by subsection (c)(4)(D)(ii), above, or on (up to) a 24 hour rolling average basis. If the owner or operator elects to use an averaging period from 2 to 24 hours: The feed rate of each metal must be limited at any time to ten times the feed rate that would be allowed on a hourly rolling average basis; The continuous monitor is as defined in Section 726.200(g). And the operating limit for the feed rate of each metal must be established based on compliance test data as the average over all test runs of the highest hourly rolling average feed rate for each run.

iv) Feed rate limits for metals, total chlorine and chloride and ash. Feed rate limits for metals, total chlorine and chloride and ash are established and monitored by knowing the concentration of the substance (i.e., metals, chloride/chlorine and ash) in each feedstream and the flow rate of the feedstream. To monitor the feed rate of these substances, the flow rate of each feedstream must be monitored under the

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continuous monitoring requirements of subsections (c)(4)(D)(i) through (c)(4)(D)(iii), above.

- E) Certification of compliance statement. The following statement must accompany the certification of compliance:

"I certify under penalty of law that this information was prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gathered and evaluated the information and supporting documentation. Copies of all emissions tests, dispersion modeling results and other information used to determine conformance with the requirements of 35 Ill. Adm. Code 726.203(c) are available at the facility and can be obtained from the facility contact person listed above. Based on my inquiry of the person or persons who manages the facility, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I also acknowledge that the operating limits established pursuant to 35 Ill. Adm. Code 726.203(c)(4)(D) are enforceable limits at which the facility can legally operate during interim status until a revised certification of compliance is submitted."

- 5) Special requirements for HC monitoring systems. When an owner or operator is required to comply with the HC controls provided by Sections 726.204(c) or subsection (a)(5)(A)(iv), above, a conditioned gas monitoring system may be used in conformance with specifications provided in Section 726.204(f) and requesting a time extension provided that the owner or operator submits a certification of compliance without using extensions of time provided by subsection (c)(7), below. However, owners or operators of facilities electing to comply with the alternative hydrocarbon provision of Section 726.204(f) and requesting a time extension under Section 726.219(b) may establish the baseline HC level and comply with the interim HC limit established by the time extension using a conditioned gas monitoring system if the Board determines that the owner or operator has also demonstrated a good faith effort to operate a heated monitoring system but found it to be impracticable.

- 6) Special operating requirements for industrial furnaces that recycle collected PM. Owners and operators of industrial furnaces that recycle back into the furnace PM from the APCs must:

A) When complying with the requirements of subsection (c)(3)(B)(i), above, comply with the operating requirements prescribed in "Alternative Method to Implement the Metals Controls" in Appendix I (see eye); and

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- B) When complying with the requirements of subsection (c)(3)(B)(ii) above, comply with the operating requirements prescribed by that subsection.

7) Extensions of time.

- A) If the owner or operator does not submit a complete certification of compliance for all of the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207 by August 21, 1992, the owner or operator shall either:

- i) Stop burning hazardous waste and begin closure activities under subsection (1), below, for the hazardous waste portion of the facility; or
- ii) Limit hazardous waste burning only for purposes of compliance testing (and pre-testing to prepare for compliance testing) a total period of 720 hours for the period of time beginning August 21, 1992, submit a notification to the Agency by August 21, 1992, stating that the facility is operating under restricted interim status and intends to resume burning hazardous waste, and submit a complete certification of compliance by August 23, 1993; or
- iii) Obtain a case-by-case extension of time under subsection (c)(7)(B) below.

B) Case-by-case extensions of time. See Section 726.219.

- 8) Revised certification of compliance. The owner or operator may submit at any time a revised certification of compliance (recertification of compliance) under the following procedures:

- A) Prior to submittal of a revised certification of compliance, hazardous waste must not be burned for more than a total of 720 hours under operating conditions that exceed those established under a current certification of compliance, and such burning must be conducted only for purposes of determining whether the facility can operate under revised conditions and continue to meet the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207; B) At least 30 days prior to first burning hazardous waste under operating conditions that exceed those established under a current certification of compliance, the owner or operator shall notify the Agency and submit the following information:

- i) USEPA U.S. EPA facility ID number, and facility name, contact person, telephone number and address;
- ii) Operating conditions that the owner or operator is seeking to revise and description of the changes in facility design or operation that prompted the need to seek to revise the operating conditions;
- iii) A determination that, when operating under the revised operating conditions, the applicable emissions standards of Sections 726.204, 726.205, 726.206 and

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726.207 are not likely to be exceeded. To document this determination, the owner or operator shall submit the applicable information required under subsection (b)(2), above; and

- iv) Complete emissions testing protocol for any pretesting and for a new compliance test to determine compliance with the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207 when operating under revised operating conditions. The protocol shall include a schedule of pre-testing and compliance testing. If the owner and operator revises the scheduled date for the compliance test, the owner or operator shall notify the Agency in writing at least 30 days prior to the revised date of the compliance test;

- C) Conduct a compliance test under the revised operating conditions and the protocol submitted to the Agency to determine compliance with the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207; and
- D) Submit a revised certification of compliance under subsection (c)(4) above.

- d) Periodic Recertifications. The owner or operator shall conduct compliance testing and submit to the Agency a recertification of compliance under provisions of subsection (c) above within three years from submitting the previous certification or recertification. If the owner or operator seeks to recertify compliance under new operating conditions, the owner or operator shall comply with the requirements of subsection (c)(8) above.

- e) Noncompliance with certification schedule. If the owner or operator does not comply with the interim status compliance schedule provided by subsections (b), (c) and (d) above, hazardous waste burning must terminate on the date that the deadline is missed, closure activities must begin under subsection (1) below, and hazardous waste burning must not resume except under an operating permit issued under 35 Ill. Adm. Code 703.232. For purposes of compliance with the closure provisions of subsection (1) below and 35 Ill. Adm. Code 725.212(d)(2) and 725.213, the BIF has received "the known final volume of hazardous waste" on the date the deadline is missed.

- f) Start-up and shut-down. Hazardous waste (except waste fed solely as an ingredient under the Tier I (or adjusted Tier I) feed rate screening limits for metals and chloride/chlorine) must not be fed into the device during start-up and shut-down of the BIF, unless the device is operating within the conditions of operation specified in the certification of compliance.

- g) Automatic waste feed cutoff. During the compliance test required by subsection (c)(3) above and upon certification of compliance under subsection (c) above, a BIF must be operated with a functioning system that automatically cuts off the hazardous waste feed when the applicable operating conditions specified in subsections (c)(1)(A) and

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(c)(1)(E) through (c)(1)(M), above, deviate from those established in the certification of compliance. In addition:

- 1) To minimize emissions of organic compounds, the minimum combustion chamber temperature (or the indicator of combustion chamber temperature) that occurred during the compliance test must be maintained while hazardous waste or hazardous waste residues remain in the combustion chamber, with minimum temperature during the compliance test defined as either:

A) If compliance with the combustion chamber temperature limit is based on a hourly rolling average, the minimum temperature during the compliance test is considered to be the average over all runs of the lowest hourly rolling average for each run; or

B) If compliance with the combustion chamber temperature limit is based on an instantaneous temperature measurement, the minimum temperature during the compliance test is considered to be the time-weighted average temperature during all runs of the test; and

- 2) Operating parameters limited by the certification of compliance must continue to be monitored during the cutoff, and the hazardous waste feed must not be restarted until the levels of those parameters comply with the limits established in the certification of compliance.

h) Fugitive emissions. Fugitive emissions must be controlled by:

- 1) Keeping the combustion zone totally sealed against fugitive emissions; or
- 2) Maintaining the combustion zone pressure lower than atmospheric pressure; or
- 3) An alternate means of control that the owner or operator demonstrates provides fugitive emissions control equivalent to maintenance of combustion zone pressure lower than atmospheric pressure. Support for such demonstration must be included in the operating record.

i) Changes. A BIF must cease burning hazardous waste when combustion properties, or feed rates of the hazardous waste, other fuels or industrial furnace feedstocks, or the BIF design or operating conditions deviate from the limits specified in the certification of compliance.

j) Monitoring and Inspections.

- 1) The owner or operator shall monitor and record the following, at a minimum, while burning hazardous waste:

A) Feed rates and composition of hazardous waste, other fuels and industrial furnace feed stocks, and feed rates of ash, metals, and total chlorine and chloride as necessary to ensure conformance with the certification of pre-compliance or certification of compliance;

B) CO, oxygen and, if applicable, HC, on a continuous basis at a common point in the BIF downstream of the combustion zone and prior to release of stack gases to the atmosphere in

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accordance with the operating limits specified in the certification of compliance CO, HC and oxygen monitors must be installed, operated and maintained in accordance with methods specified in Appendix I ~~thereof~~.

- C) Upon the request of the Agency, sampling and analysis of the hazardous waste (and other fuels and industrial furnace feed stocks as appropriate) and the stack gas emissions must be conducted to verify that the operating conditions established in the certification of pre-compliance or certification of compliance achieve the applicable standards of Sections 726.204, 726.205, 726.206 and 726.207.

2) The BIF and associated equipment (pumps, valves, pipes, fuel storage tanks, etc.) must be subjected to thorough visual inspection when they contain hazardous waste, at least daily for leaks, spills, fugitive emissions and signs of tampering.

3) The automatic hazardous waste feed cutoff system and associated alarms must be tested at least once every 7 days when hazardous waste is burned to verify operability, unless the owner or operator can demonstrate that weekly inspections will unduly restrict or upset operations and that less frequent inspections will be adequate. Support for such demonstration must be included in the operating record. At a minimum, operational testing must be conducted at least once every 30 days.

4) These monitoring and inspection data must be recorded and the records must be placed in the operating log.

k) Recordkeeping. The owner or operator shall keep in the operating record of the facility all information and data required by this Section until closure of the BIF unit.

- 1) Closure. At closure, the owner or operator shall remove all hazardous waste and hazardous waste residues (including, but not limited to, ash, scrubber waters and scrubber sludges) from the BIF and shall comply with 35 Ill. Adm. Code 725.211 through 725.215.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 726.204 Standards to control Organic Emissions

a) DRE standard.

- 1) General. Except as provided in subsection (a)(3) below, a BIF burning hazardous waste must achieve a DRE of 99.99% for all organic hazardous constituents in the waste feed. To demonstrate conformance with this requirement, 99.99% DRE must be demonstrated during a trial burn for each principal organic hazardous constituent (POHC) designated (under subsection (a)(2), below) in its permit for each waste feed. DRE is determined for each POHC from the following equation:

$$DRE = 100(I - O)/I$$

where:

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I = Mass feed rate of one POHC in the hazardous waste fired to the BIF; and
O = Mass emission rate of the same POHC present in stack gas prior to release to the atmosphere.

- 2) Designation of POHCs. POHCs are those compounds for which compliance with the DRE requirements of this Section must be demonstrated in a trial burn in conformance with procedures prescribed in 35 Ill. Adm. Code 703.232. One or more POHCs must be designated by the Agency for each waste feed to be burned. POHCs must be designated based on the degree of difficulty of destruction of the organic constituents in the waste and on their concentrations or mass in the waste feed considering the results of waste analyses submitted with Part B of the permit application. POHCs are most likely to be selected from among those compounds listed in 35 Ill. Adm. Code 721. Appendix H that are also present in the normal waste feed. However, if the applicant demonstrates to the Agency that a compound not listed in 35 Ill. Adm. Code 721. Appendix H or not present in the normal waste feed is a suitable indicator of compliance with the DRE requirements of this Section, that compound must be designated as a POHC. Such POHCs need not be toxic or organic compounds.

- 3) Dioxin-listed waste. A BIF burning hazardous waste containing (or derived from) USEPA U.S. EPA Hazardous Wastes Nos. F020, F021, F022, F023, F026, or F027 must achieve a destruction and removal efficiency (DRE) of 99.999% for each POHC designated (under subsection (a)(2), above) in its permit. This performance must be demonstrated on POHCs that are more difficult to burn than tetra-, penta- and hexachlorodibenzo-p-dioxins and dibenzofurans. DRE is determined for each POHC from the equation in subsection (a)(1) above. In addition, the owner or operator of the BIF shall notify the Agency of intent to burn USEPA U.S. EPA Hazardous Waste Nos. F020, F021, F022, F023, F026 or F027.

- 4) Automatic waiver of DRE trial burn. Owners and operators of boilers operated under the special operating requirements provided by Section 726.210 are considered to be in compliance with the DRE standard of subsection (a)(1) above and are exempt from the DRE trial burn.

- 5) Low risk waste. Owners and operators of BIFs that burn hazardous waste in compliance with the requirements of Section 726.209(a) are considered to be in compliance with the DRE standard of subsection (a)(1) above and are exempt from the DRE trial burn.

b)

- 1) Except as provided in subsection (c), below, the stack gas concentration of CO from a BIF burning hazardous waste cannot exceed 100 ppmv on an hourly rolling average basis (i.e., over any 60 minute period), continuously corrected to 7 percent oxygen, dry gas basis.

- 2) CO and oxygen must be continuously monitored in conformance with "Performance Specifications for Continuous Emission Monitoring of

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Carbon Monoxide and Oxygen for Incinerators, Boilers, and Industrial Furnaces Burning Hazardous Waste" in Appendix I ~~(page 4)~~.

- 3) Compliance with the 100 ppmv CO limit must be demonstrated during the trial burn (for new facilities or an interim status facility applying for a permit) or the compliance test (for interim status facilities). To demonstrate compliance, the highest hourly rolling average CO level during any valid run of the trial burn or compliance test must not exceed 100 ppmv.

c) Alternative CO standard.

- 1) The stack gas concentration of CO from a BIF burning hazardous waste may exceed the 100 ppmv limit provided that stack gas concentrations of HCs do not exceed 20 ppmv, except as provided by subsection (f) below for certain industrial furnaces.

- 2) HC limits must be established under this Section on an hourly rolling average basis (i.e., over any 60 minute period), reported as propane, and continuously corrected to 7 percent oxygen, dry gas basis.

- 3) HC must be continuously monitored in conformance with "Performance Specifications for Continuous Emission Monitoring of Hydrocarbons for Incinerators, Boilers, and Industrial Furnaces Burning Hazardous Waste" in Appendix I ~~(page 4)~~. CO and oxygen must be continuously monitored in conformance with subsection (b)(2) above.

- 4) The alternative CO standard is established based on CO data during the trial burn (for a new facility) and the compliance test (for an interim status facility). The alternative CO standard is the average over all valid runs of the highest hourly average CO level for each run. The CO limit is implemented on an hourly rolling average basis, and continuously corrected to 7 percent oxygen, dry gas basis.

- d) Special requirements for furnaces. Owners and operators of industrial furnaces (e.g., kilns, cupolas) that feed hazardous waste for a purpose other than solely as an ingredient (see Section 726.203(a)(5)(B)) at any location other than the end where products are normally discharged and where fuels are normally fired must comply with the HC limits provided by subsections (c) above or (f) below irrespective of whether stack gas CO concentrations meet the 100 ppmv limit of subsection (b) above.

- e) Controls for dioxins and furans. Owners and operators of BIFs that are equipped with a dry PM control device that operates within the temperature range of 450 through 750° F, and industrial furnaces operating under an alternative HC limit established under subsection (f), below, shall conduct a site-specific risk assessment as follows to demonstrate that emissions of chlorinated dibenzo-p-dioxins and dibenzofurans do not result in an increased lifetime cancer risk to the hypothetical maximum exposed individual (MEI) exceeding ~~1x10⁻⁵~~ ~~(1 in 100,000):~~

- 1) During the trial burn (for new facilities or an interim status

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facility applying for a permit) or compliance test (for interim status facilities), determine emission rates of the tetra-octa congeners of chlorinated dibenzo-p-dioxins (PCDDs) and dibenzofurans (CDDs/CDFs) using Method 23, "Determination of Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofurans (PCDFs) from Stationary Sources", in Appendix I (4-9-87);

- 2) Estimate the 2,3,7,8-TCDD toxicity equivalence of the tetra-octa CDDs/CDFs congeners using "Procedures for Estimating the Toxicity Equivalence of Chlorinated Dibenzo-p-Dioxin and Dibenzofuran Congeners" in Appendix I (4-9-87). Multiply the emission rates of CDD/CDF congeners with a toxicity equivalence greater than zero (see the procedure) by the calculated toxicity equivalence factor to estimate the equivalent emission rate of 2,3,7,8-TCDD;

- 3) Conduct dispersion modeling using methods recommended in 40 CFR 51, Appendix W, as incorporated by reference at 35 Ill. Adm. Code 720.111 ("Guideline on Air Quality Models (Revised)" (1986) and its supplements), or the "Hazardous Waste Combustion Air Quality Screening Procedure", which are provided in Appendices Appendix I and J respectively, or "EPA--SCREEN--Screening--Procedure"--as described in "Screening Procedures for Estimating Air Quality Impact of Stationary Sources, Revised" (incorporated by reference in 35 Ill. Adm. Code 720.111) to predict the maximum annual average off-site ground level concentration of 2,3,7,8-TCDD equivalents determined under subsection (e)(2) above. The maximum annual average on-site concentration must be used when a person resides on-site; and
- 4) The ratio of the predicted maximum annual average ground level concentration of 2,3,7,8-TCDD equivalents to the risk-specific dose (RSD) for 2,3,7,8-TCDD provided in Appendix E (2.2B-07 x10(-7)) must not exceed 1.0.

- f) Alternative HC limit for furnaces with organic matter in raw material. For industrial furnaces that cannot meet the 20 ppmv HC limit because of organic matter in normal raw material, the Agency shall establish an alternative HC limit on a case-by-case basis (under a Part B permit proceeding) at a level that ensures that flue gas HC (and CO) concentrations when burning hazardous waste are not greater than when not burning hazardous waste (the baseline HC level) provided that the owner or operator complies with the following requirements. However, cement kilns equipped with a by-pass duct meeting the requirements of subsection (g), below, are not eligible for an alternative HC limit.

- 1) The owner or operator shall demonstrate that the facility is designed and operated to minimize HC emissions from fuels and raw materials, and that the facility is producing normal products under normal operating conditions feeding normal feedstocks and fuels when the baseline HC (and CO) level is determined. The baseline HC level is defined as the average over all valid test runs of the highest hourly rolling average value for each run when the facility does not burn hazardous waste, adjusted as

appropriate to consider the variability of hydrocarbon levels under good combustion operating conditions. The baseline CO level is determined based on the test runs used to establish the baseline HC level and is defined as the average over all test runs of the highest hourly rolling average CO value for each run. More than one baseline level must be determined if the facility operates under different modes that generate significantly different HC (and CO) levels;

- 2) The owner or operator shall develop an approach to monitor over time changes in the operation of the facility that could reduce the baseline HC level;
- 3) The owner or operator shall conduct emissions testing during the trial burn to:

- A) Determine the baseline HC (and CO) level;
- B) Demonstrate that, when hazardous waste is burned, HC (and CO) levels do not exceed the baseline level; and
- C) Identify the types and concentrations of organic compounds listed in 35 Ill. Adm. Code 721. Appendix H, that are emitted and conduct dispersion modeling to predict the maximum annual average ground level concentration of each organic compound. On-site ground level concentrations must be considered for this evaluation if a person resides on site.

- i) Sampling and analysis of organic emissions must be conducted using procedures prescribed by the Agency pursuant to 35 Ill. Adm. Code 703.208(a).

- ii) Dispersion modeling must be conducted according to procedures provided by subsection (e)(2), above; and
- D) Demonstrate that maximum annual average ground level concentrations of the organic compounds identified in subsection (f)(3)(C) above do not exceed the following levels:

- i) For the noncarcinogenic compounds listed in Appendix D, the levels established in that Section 726. Appendix B;

- ii) For the carcinogenic compounds listed in Appendix E, the sum for all compounds of the ratios of the actual ground level concentration to the level established in that Section 726. Appendix--B cannot exceed 1.0. To estimate the health risk from chlorinated dibenzo-p-dioxins and dibenzofuran congeners, use the procedures prescribed by subsection (e)(3) above to estimate the 2,3,7,8-TCDD toxicity equivalence of the congeners.

- iii) For compounds not listed in Appendix D or 726. Appendix E, 0.1 ug/cu-m(3) (micrograms per cubic meter).

- 4) All HC levels specified under this subsection are to be monitored and reported as specified in subsections (c)(1) and (c)(2) above.

- g) Monitoring CO and HC in the by-pass duct of a cement kiln. Cement

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kilns may comply with the CO and HC limits provided by subsections (b), (c) and (d) above, by monitoring in the by-pass duct provided that:

- 1) Hazardous waste is fired only into the kiln and not at any location downstream from the kiln exit relative to the direction of gas flow; and
- 2) The by-pass duct diverts a minimum of 10% of kiln off-gas into the duct.

h) Use of emissions test data to demonstrate compliance and establish operating limits. Compliance with the requirements of this Section must be demonstrated simultaneously by emissions testing or during separate runs under identical operating conditions. Further, data to demonstrate compliance with the CO and HC limits of this Section or to establish alternative CO or HC limits under this Section must be obtained during the time that DRE testing, and where applicable, CDD/CDF testing under subsection (e) above, and comprehensive organic emissions testing under subsection (f) above, is conducted.

i) Enforcement. For the purposes of permit enforcement, compliance with the operating requirements specified in the permit (under Section 726.202) will be regarded as compliance with this Section. However, evidence that compliance with those permit conditions is insufficient to ensure compliance with the requirements of this Section is "information" justifying modification or revocation and re-issuance of a permit under 35 Ill. Adm. Code 703.270 et seq.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 726.206 Standards to control Metals Emissions

a) General. The owner or operator shall comply with the metals standards provided by subsections (b), (c), (d), (e) or (f) below for each metal listed in subsection (b), below, that is present in the hazardous waste at detectable levels using analytical procedures specified in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, (SW-846), incorporated by reference in 35 Ill. Adm. Code 720.111.

b) Tier I feed rate screening limits. Feed rate screening limits for metals are specified in Appendix A as a function of terrain-adjusted effective stack height (TESH) and terrain and land use in the vicinity of the facility. Criteria for facilities that are not eligible to comply with the screening limits are provided in subsection (b)(7) below.

1) Noncarcinogenic metals. The feed rates of the noncarcinogenic metals in all feed streams, including hazardous waste, fuels and industrial furnace feed stocks must not exceed the screening limits specified in Appendix A.

A) The feed rate screening limits for antimony, barium, mercury, thallium and silver are based on either:

- i) An hourly rolling average as defined in Sections 726.200(g) and 726.202(e)(6)(A)(ii); or
 - ii) An instantaneous limit not to be exceeded at any time.
- B) The feed rate screening limit for lead is based on one of the following:
- i) An hourly rolling average as defined in Sections 726.200(g) and 726.202(e)(6)(A)(ii);
 - ii) An averaging period of 2 to 24 hours as defined in Section 726.202(e)(6)(B) with an instantaneous feed rate limit not to exceed 10 times the feed rate that would be allowed on an hourly rolling average basis; or
 - iii) An instantaneous limit not to be exceeded at any time.

2) Carcinogenic metals.

A) The feed rates of carcinogenic metals in all feed streams, including hazardous waste, fuels and industrial furnace feed stocks must not exceed values derived from the screening limits specified in Appendix A. The feed rate of each of these metals is limited to a level such that the sum of the ratios of the actual feed rate to the feed rate screening limit specified in Appendix A must not exceed 1.0, as provided by the following equation:

$$\text{SUM}(\text{Ai}/\text{Fi}) \leq 1.0$$

where:

$\text{SUM}(\text{Ai}/\text{Fi})$ means the sum of the values of X for each metal "i", from $i = 1$ to n .

n = number of carcinogenic metals

Ai = the actual feed rate to the device for metal "i"

Fi = the feed rate screening limit provided by Appendix A for metal "i".

B) The feed rate screening limits for the carcinogenic metals are based on either:

- i) An hourly rolling average; or
- ii) An averaging period of 2 to 24 hours, as defined in Section 726.202(e)(6)(B), with an instantaneous feed rate limit not to exceed 10 times the feed rate that would be allowed on an hourly rolling average basis.

3) TESH (terrain adjusted effective stack height).

A) The TESH is determined according to the following equation:

$$\text{TESH} = H + P - T$$

where:

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H = Actual physical stack height (m)

P = Plume rise (in m) as determined from Appendix F as a function of stack flow rate and stack gas exhaust temperature.

T = Terrain rise (in m) within five Kilometers of the stack.

B) The stack height (H) must not exceed good engineering practice stack height, as defined in Section 726.200(g).

C) If the TESH calculated pursuant to subsection (b)(3)(A)7 above is not listed in Sections 726.200(g) Appendices A through 726.200(g) Appendix C, the values for the nearest lower TESH listed in the table must be used. If the TESH is four meters or less, a value based on four meters must be used.

4) Terrain type. The screening limits are a function of whether the facility is located in noncomplex or complex terrain. A device located where any part of the surrounding terrain within 5 kilometers of the stack equals or exceeds the elevation of the physical stack height (H) is considered to be in complex terrain and the screening limits for complex terrain apply. Terrain measurements are to be made from U.S. Geological Survey 7.5-minute topographic maps of the area surrounding the facility.

5) Land use. The screening limits are a function of whether the facility is located in an area where the land use is urban or rural. To determine whether land use in the vicinity of the facility is urban or rural, procedures provided in Section 726.200(g) Appendices I ("eye") or Section 726.200(g) J shall be used.

6) Multiple stacks. Owners and operators of facilities with more than one on-site stack from a BIF, incinerator or other thermal treatment unit subject to controls of metals emissions under a RCRA permit or interim status controls shall comply with the screening limits for all such units assuming all hazardous waste is fed into the device with the worst-case stack based on dispersion characteristics. The stack with the lowest value of K is the worst-case stack. K is determined from the following equation as applied to each stack:

$$K = H^* \times V^* \times T$$

Where:

K = a parameter accounting for relative influence of stack height and plume rise;

H = physical stack height (meters);

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V = stack gas flow rate ($\text{cu-m}(3)/\text{second}$ [cubic meters per second]); and

T = exhaust temperature (degrees K).

7) Criteria for facilities not eligible for screening limits. If any criteria below are met, the Tier I (and Tier II) screening limits do not apply. Owners and operators of such facilities shall comply with either the Tier III standards provided by subsection (d), below or with the adjusted Tier I feed rate screening limits provided by subsection (e) below.

A) The device is located in a narrow valley less than one kilometer wide;

B) The device has a stack taller than 20 meters and is located such that the terrain rises to the physical height within one kilometer of the facility;

C) The device has a stack taller than 20 meters and is located within five kilometers of a shoreline of a large body of water such as an ocean or large lake;

D) The physical stack height of any stack is less than 2.5 times the height of any building within five building heights or five projected building widths of the stack and the distance from the stack to the closest boundary is within five building heights or five projected building widths of the associated building; or

E) The Agency determines that standards based on site-specific dispersion modeling are required.

8) Implementation. The feed rate of metals in each feedstream must be monitored to ensure that the feed rate screening limits are not exceeded.

c) Tier II emission rate screening limits. Emission rate screening limits are specified in Appendix A as a function of TESH and terrain and land use in the vicinity of the facility. Criteria for facilities that are not eligible to comply with the screening limits are provided in subsection (b)(7) above.

1) Noncarcinogenic metals. The emission rates of noncarcinogenic metals must not exceed the screening limits specified in Appendix A.

2) Carcinogenic metals. The emission rates of carcinogenic metals must not exceed values derived from the screening limits specified in Appendix A. The emission rate of each of these metals is limited to a level such that the sum of the ratios of the actual emission rate to the emission rate screening limit specified in Appendix A must not exceed 1.0, as provided by the following equation:

$$\text{SUM}(A_i/E_i) \leq 1.0$$

where:

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$SUM_{i=1}^n \frac{A(i)}{E(i)}$ means the sum of the values of $\frac{A}{E}$ for each metal i , from $i = 1$ to n .

n = number of carcinogenic metals

$A(i)$ = the actual emission rate for metal " i "

$E(i)$ = the emission rate screening limit provided by Appendix A for metal " i ".

- 3) Implementation. The emission rate limits must be implemented by limiting feed rates of the individual metals to levels during the trial burn (for new facilities or an interim status facility applying for a permit) or the compliance test (for interim status facilities). The feed rate averaging periods are the same as provided by subsections (b)(1)(A), and (b)(1)(B), and (b)(2)(B) above. The feed rate of metals in each feedstream must be monitored to ensure that the feed rate limits for the feedstreams specified under Sections 726.202 or 726.203 are not exceeded.
- 4) Definitions and Limitations. The definitions and limitations provided by subsection (b) above and 726.200(g) for the following terms also apply to the Tier II emission rate screening limits provided by subsection (c): TESH, good engineering practice stack height, terrain type, land use and criteria for facilities not eligible to use the screening limits.
- 5) Multiple stacks.
 - A) Owners and operators of facilities with more than one on-site stack from a BIF, incinerator or other thermal treatment unit subject to controls on metals emissions under a RCRA permit or interim status controls shall comply with the emissions screening limits for any such stacks assuming all hazardous waste is fed into the device with the worst-case stack based on dispersion characteristics.
 - B) The worst-case stack is determined by procedures provided in subsection (b)(6), above.
 - C) For each metal, the total emissions of the metal from those stacks must not exceed the screening limit for the worst-case stack.

d) Tier III site-specific risk assessment. The requirements of this subsection apply to facilities complying with either the Tier III or Adjusted Tier I except where specified otherwise.

- 1) General. Conformance with the Tier III metals controls must be demonstrated by emissions testing to determine the emission rate for each metal. In addition, conformance with either Tier III or Adjusted Tier I metals controls must be demonstrated by air dispersion modeling to predict the maximum annual average off-site ground level concentration for each metal and a demonstration that acceptable ambient levels are not exceeded.

2) Acceptable ambient levels. Sections 726.200 and 726.203

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and 726.200 Appendix E list the acceptable ambient levels for purposes of this Subpart. Reference air concentrations (RACs) are listed for the noncarcinogenic metals and 10^{-5} to 10^{-3} RSDs are listed for the carcinogenic metals. The RSD for a metal is the acceptable ambient level for that metal provided that only one of the four carcinogenic metals is emitted. If more than one carcinogenic metal is emitted, the acceptable ambient level for the carcinogenic metals is a fraction of the RSD as described in subsection (d)(3) below.

- 3) Carcinogenic metals. For the carcinogenic metals the sum of the ratios of the predicted maximum annual average off-site ground level concentrations (except that on-site concentrations must be considered if a person resides on site) to the RSD for all carcinogenic metals emitted must not exceed 1.0 as determined by the following equation:

$$\sum_{i=1}^n \frac{P(i)}{R(i)} \leq 1.0$$

where:

$\sum_{i=1}^n \frac{P(i)}{R(i)}$ means the sum of the values of $\frac{P}{R}$ for each metal i , from $i = 1$ to n .

n = number of carcinogenic metals

$P(i)$ = Predicted the predicted ambient concentration for metal i .

$R(i)$ = the RSD for metal i .

- 4) Noncarcinogenic metals. For the noncarcinogenic metals, the predicted maximum annual average off-site ground level concentration for each metal must not exceed the RAC.
- 5) Multiple stacks. Owners and operators of facilities with more than one on-site stack from a BIF, incinerator or other thermal treatment unit subject to controls on metals emissions under a RCRA permit or interim status controls shall conduct emissions testing (except that facilities complying with Adjusted Tier I controls need not conduct emissions testing) and dispersion modeling to demonstrate that the aggregate emissions from all such on-site stacks do not result in an exceedance of the acceptable ambient levels.
- 6) Implementation. Under Tier III, the metals controls must be implemented by limiting feed rates of the individual metals to levels during the trial burn (for new facilities or an interim status facility applying for a permit) or the compliance test (for interim status facilities). The feed rate averaging periods are the same as provided by subsections (b)(1)(A), and (b)(1)(B), and (b)(2)(B) above. The feed rate of metals in each feedstream

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must be monitored to ensure that the feed rate limits for the feedstreams specified under Sections 726.202 or 726.203 are not exceeded.

- e) Adjusted Tier I feed rate screening limits. The owner or operator may adjust the feed rate screening limits provided by Appendix A to account for site-specific dispersion modeling. Under this approach, the adjusted feed rate screening limit for a metal is determined by back-calculating from the acceptable ambient levels provided by Sections 726.202 and 726.203 using dispersion modeling to determine the maximum allowable emission rate. This emission rate becomes the adjusted Tier I feed rate screening limit. The feed rate screening limits for carcinogenic metals are implemented as prescribed in subsection (b)(2) above.
- f) Alternative implementation approaches.

- 1) Pursuant to subsection (f)(2) below, the Agency shall approve on a case-by-case basis approaches to implement the Tier II or Tier III metals emission limits provided by subsections (c) or (d) above alternative to monitoring the feed rate of metals in each feedstream.

- 2) The emission limits provided by subsection (d) above must be determined as follows:

A) For each noncarcinogenic metal, by back-calculating from the RAC provided in Appendix D to determine the allowable emission rate for each metal using the dilution factor for the maximum annual average ground level concentration predicted by dispersion modeling in conformance with subsection (h), below; and

B) For each carcinogenic metal by:

- i) Back-calculating from the RSD provided in Appendix E to determine the allowable emission rate for each metal if that metal were the only carcinogenic metal emitted using the dilution factor for the maximum annual average ground level concentration predicted by dispersion modeling in conformance with subsection (h), below; and

- ii) If more than one carcinogenic metal is emitted, selecting an emission limit for each carcinogenic metal not to exceed the emission rate determined by subsection (f)(2)(B)(i) above, such that the sum for all carcinogenic metals of the ratios of the selected emission limit to the emission rate determined by that subsection does not exceed 1.0.

- g) Emission testing.

- 1) General. Emission testing for metals must be conducted using the Multiple Metals Train as described in Appendix I.
- 2) Hexavalent chromium. Emissions of chromium are assumed to be hexavalent chromium unless the owner or operator conducts emissions testing to determine hexavalent chromium emissions using procedures prescribed in Appendix I.

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- h) Dispersion modeling. Dispersion modeling required under this Section must be conducted according to methods recommended in Section 726.202, appendix W ("Guideline on Air Quality Models (Revised)" (1986) and its supplements), the "Hazardous Waste Combustion Air Quality Screening Procedure" described in Appendix I, or in "EPA-Screening--Screening--Procedure--as--described--in Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised" (the latter document is incorporated by reference in 35 Ill. Adm. Code 720.111) to predict the maximum annual average off-site ground level concentration. However, on-site concentrations must be considered when a person resides on-site.

- i) Enforcement. For the purposes of permit enforcement, compliance with the operating requirements specified in the permit (under Section 726.202) will be regarded as compliance with this Section. However, evidence that compliance with those permit conditions is insufficient to ensure compliance with the requirements of this Section is "information" justifying modification or revocation and re-issuance of a permit under 35 Ill. Adm. Code 703.270 et seq.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 726.212 Regulation of Residues

A residue derived from the burning or processing of hazardous waste in a BIF is not excluded from the definition of a hazardous waste under 35 Ill. Adm. Code 721.104(b)(4), (b)(7), or (8) unless the device and the owner or operator meet the following requirements:

- a) The device meets the following criteria:

- 1) Boilers. Boilers must burn at least 50% coal on a total heat input or mass basis, whichever results in the greater mass feed rate of coal;
- 2) Ore or mineral furnaces. Industrial furnaces subject to 35 Ill. Adm. Code 721.104(b)(7) must process at least 50% by weight normal, nonhazardous raw materials;
- 3) Cement kilns. Cement kilns must process at least 50% by weight normal cement-production raw materials;

- b) The owner or operator demonstrates that the hazardous waste does not significantly affect the residue by demonstrating conformance with either of the following criteria:

- 1) Comparison of waste-derived residue with normal residue. The waste-derived residue must not contain 35 Ill. Adm. Code 721.104(b)(4) constituents (toxic constituents) that could reasonably be attributable to the hazardous waste at concentrations significantly higher than in residue generated without burning or processing of hazardous waste, using the following procedure. Toxic compounds that could reasonably be attributable to burning or processing the hazardous waste (constituents of concern) including toxic constituents in the

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hazardous waste, and the organic compounds listed in 35 Ill. Adm. Code 721.Appendix H that may be PICs. Sampling and analyses must be in conformance with procedures prescribed in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", U.S. EPA Publication SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111(a).

A) Normal residue. Concentrations of toxic constituents of concern in normal residue must be determined based on analyses of a minimum of 10 samples representing a minimum of 10 days of operation. Composite samples may be used to develop a sample for analysis provided that the compositing period does not exceed 24 hours. The upper tolerance limit (at 95% confidence with a 95% proportion of the sample distribution) of the concentration in the normal residue shall be considered the statistically-derived concentration in the normal residue. If changes in raw materials or fuels reduce the statistically-derived concentrations of the toxic constituents of concern in the normal residue, the statistically-derived concentrations must be revised or statistically-derived concentrations of toxic constituents in normal residue must be established for a new mode of operation with the new raw material or fuel. To determine the upper tolerance limit in the normal residue, the owner or operator shall use statistical procedures prescribed in "Statistical Methodology for Bevill Residue Determinations" in Appendix I ~~to 721.111(a)~~.

B) Waste-derived residue. Waste derived residue must be sampled and analyzed as often as necessary to determine whether the residue generated during each 24-hour period has concentrations of toxic constituents that are higher than the concentrations established for the normal residue under subsection (b)(1)(A) above. If so, hazardous waste burning has significantly affected the residue and the residue is not excluded from the definition of "hazardous waste". Concentrations of toxic constituents in waste-derived residue must be determined based on analysis of one or more samples obtained over a 24-hour period. Multiple samples may be analyzed, and multiple samples may be taken to form a composite sample for analysis provided that the sampling period does not exceed 24 hours. If more than one sample is analyzed to characterize waste-derived residues generated over a 24-hour period, the concentration of each toxic constituent must be the arithmetic mean of the concentrations in the samples. No results can be disregarded; or

2) Comparison of waste-derived residue concentrations with health-based limits.

A) Nonmetal constituents. The concentrations concentration of each nonmetal toxic constituents constituent of concern

(specified in subsection (b)(1) above) in the waste-derived residue must not exceed the health-based levels specified in Appendix G, or the level of detection (using analytical procedures prescribed in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", U.S. EPA Publication SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111), whichever is higher. If a health-based limit for a constituent of concern is not listed in Appendix G, then a limit of 0.002 ug/kg or the level of detection (using analytical procedures prescribed in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", U.S. EPA Publication SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111), whichever is higher, must be used. The levels specified in Section 726.Appendix G (and the default level of 0.002 ug/kg or the level of detection for constituents, as identified in Note 1 of Section 726.Appendix G) are administratively stayed under the condition, for those constituents specified in subsection (b)(1) above, that the owner or operator complies with alternative levels defined as the land disposal restriction limits specified in 35 Ill. Adm. Code 728.143 and 728.145 B for F039 nonwastewaters. In complying with those alternative levels, if an owner or operator is unable to detect a constituent despite documenting use of the best good-faith efforts, as defined by applicable U.S. EPA guidance and standards, the owner or operator is deemed to be in compliance for that constituent. Until U.S. EPA develops new guidance or standards, the owner or operator may demonstrate limit for the constituent that does not exceed an order of magnitude above (ten times) the level provided by 35 Ill. Adm. Code 728.143 and 728.145 B for F039 nonwastewaters. The stay will remain in effect until further rulemaking action is taken; and

B) Metal constituents. The concentration of metals in an extract obtained using the TCLP test must not exceed the levels specified in Appendix G; and

C) Sampling and analysis. Wastewater-derived residue must be sampled and analyzed as often as necessary to determine whether the residue generated during each 24 hour period has concentrations of toxic constituents ~~which~~ that are higher than the health-based levels. Concentrations of concern in the wastewater-derived residue must be determined based on analysis of one or more samples obtained over a 24-hour period. Multiple samples may be analyzed, and multiple samples may be taken to form a composite for analysis provided that the sampling period does not exceed 24 hours. If more than one sample is analyzed to characterize waste-derived residues generated over a 24 hour period, the concentration of each toxic constituent is the arithmetic

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mean of the concentrations of the samples. No results can be disregarded; and

- c) Records sufficient to document compliance with the provisions of this Section must be retained until closure of the BIF unit. At a minimum, the following must be recorded:

- 1) Levels of constituents in 35 Ill. Adm. Code 721. Appendix H that are present in waste-derived residues;
- 2) If the waste-derived residue is compared with normal residue under subsection (b)(1), above:

- A) The levels of constituents in 35 Ill. Adm. Code 721. Appendix H that are present in normal residues; and
- B) Data and information, including analyses of samples as necessary, obtained to determine if changes in raw materials or fuels would reduce the concentration of toxic constituents of concern in the normal residue.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 726. APPENDIX G Health-Based Limits for Exclusion of Waste-Derived Residues

BOARD NOTE 1: Under Section 726.212(b)(2)(A), the health-based concentration limits for 35 Ill. Adm. Code 721. Appendix H constituents for which a health-based concentration is not provided below is 0.002 ug/kg (0.00002 lb-06 mg/kg).

NOTE 2: The levels specified in this Section and the default level of 0.002 ug/kg (0.00002 mg/kg) or the level of detection for constituents, as identified in Note 1, are administratively stayed under the condition, for those constituents specified in Section 726.212(b)(1), that the owner or operator complies with alternative levels defined as the land disposal restriction limits specified in 35 Ill. Adm. Code 728.143 and 728. Table B for F039 nonwastewaters. See Section 726.212(b)(2)(A).

Metals-TCLP Extract Concentration Limits

Constituent	CAS No.	Concentration limits (mg/L)
Antimony	7440-36-0	1.5B+00
Arsenic	7440-38-2	5.5B+00
Barium	7440-39-3	100.5B+02
Beryllium	7440-41-7	0.007B-03
Cadmium	7440-43-9	1.5B+00
Chromium	7440-47-3	5.5B+00
Lead	7439-92-1	5.5B+00
Mercury	7439-97-6	0.2B-01
Nickel	7440-02-0	70.5B+01

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Selenium	7782-49-2	1.5B+00
Silver	7440-22-4	5.5B+00
Thallium	7440-28-0	7.5B+00

Nonmetal-Residue Concentration Limits

Constituent	CAS No.	Concentration limits for residues (mg/kg)
Acetonitrile	75-05-8	0.2B-01
Acetophenone	98-86-2	4.5B+00
Acrolein	107-02-8	0.5B-01
Acrylamide	79-06-1	0.002B-04
Acrylonitrile	107-13-1	70.000B-04
Aldrin	309-00-2	0.00002B-05
Allyl alcohol	107-18-6	0.2B-01
Aluminum phosphide	20859-73-8	0.01B-02
Aniline	62-53-3	0.06B-02
Barium cyanide	542-62-1	(1.1.6B+00)
Benz(a)anthracene	56-55-3	0.0001B-04
Benzene	71-43-2	0.005B-03
Benzidine	92-87-5	0.000001B-06
Bis(2-chloroethyl) ether	111-44-4	0.003B-04
Bis(chloromethyl) ether	542-88-1	0.000002B-06
Bis(2-ethylhexyl) phthalate	117-81-7	30.5B+01
Bromoform	75-25-2	0.7B-01
Calcium cyanide	592-01-8	0.000001B-06
Carbon disulfide	75-15-0	4.5B+00
Carbon tetrachloride	56-23-5	0.005B-03
Chlordane	57-74-9	0.0003B-04
Chlorobenzene	108-90-7	1.5B+00
Chloroform	67-66-3	0.06B-02
Copper cyanide	544-92-3	0.2B-01
Cresols (Cresylic acid)	1319-77-3	2.5B+00
Cyanogen	460-19-5	1.5B+00
DDT	50-29-3	0.001B-03
Dibenz(a, h)-anthracene	53-70-3	0.000007B-06
1,2-Dibromo-3-chloropropane	96-12-8	0.00002B-05
p-Dichlorobenzene	106-46-7	0.07.5B-02
Dichlorodifluoromethane	75-71-8	7.5B+00
1,1-Dichloroethylene	75-35-4	1.005B-03
2,4-Dichlorophenol	120-83-2	0.1B-01
1,3-Dichloropropene	542-75-6	0.001B-03
Dieldrin	60-57-1	0.00002B-05
Diethyl phthalate	84-66-2	30.1B+01
Diethylstilbestrol	56-53-1	0.0000007B-07
Dimethoate	60-51-5	0.03B-02
2,4-Dinitrotoluene	121-14-2	0.0005B-04

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Diphenylamine	122-39-4	0.9B-01
1,2-Diphenylhydrazine	122-66-7	0.0005B-04
Endosulfan	115-29-7	0.002B-03
Endrin	72-20-8	0.0002B-04
Epichlorohydrin	106-89-8	0.04B-02
Ethylene dibromide	106-93-4	0.0000004B-07
Ethylene oxide	75-21-8	0.0003B-04
Fluorine	7782-41-4	4.B+00
Formic acid	64-18-6	70.B+01
Heptachlor	76-44-8	0.00008B-05
Heptachlor epoxide	1024-57-3	0.00004B-05
Hexachlorobenzene	118-74-1	0.0002B-04
Hexachlorobutadiene	87-68-3	0.005B-03
Hexachlorocyclopentadiene	77-47-4	0.2B-01
Hexachlorodibenzo-p-dioxins	19408-74-3	0.00000006B-00
Hexachloroethane	67-72-1	0.03B-02
Hydrazine	302-01-1	0.0001B-04
Hydrogen cyanide	74-90-8	0.00007B-05
Hydrogen sulfide	7783-06-4	0.000001B-06
Isobutyl alcohol	78-83-1	10.B+01
Methomyl	16752-77-5	1.B+00
Methoxychlor	72-43-5	0.1B-01
3-Methylcholanthrene	56-49-5	0.00004B-05
4,4'-Methylenebis (2-chloroaniline)	101-14-4	0.002B-03
Methylene chloride	75-09-2	0.05B-02
Methyl ethyl ketone (MEK)	78-93-3	2.B+00
Methyl hydrazine	60-34-4	0.0003B-04
Methyl parathion	298-00-0	0.02B-02
Naphthalene	91-20-3	10.B+01
Nickel cyanide	557-19-7	0.7B-01
Nitric oxide	10102-43-9	4.B+00
Nitrobenzene	98-95-3	0.02B-02
N-Nitrosodi-n-butylamine	924-16-3	0.00006B-05
N-Nitrosodiethylamine	55-18-5	0.000002B-06
N-Nitroso-N-methylurea	684-93-5	0.0000001B-07
N-Nitrosopyrrolidine	930-55-2	0.0002B-04
Pentachlorobenzene	608-93-5	0.03B-02
Pentachloronitrobenzene (PCNB)	82-68-8	0.1B-01
Pentachlorophenol	87-86-5	1.B+00
Phenol	108-95-2	1.B+00
Phenylmercury acetate	62-38-4	0.003B-03
Phosphine	7803-51-2	0.01B-02
Polychlorinated biphenyls, N.O.S	1336-36-3	0.00005B-05
Potassium cyanide	151-50-8	2.B+00
Potassium silver cyanide	506-61-6	7.B+00
Pronamide	23950-58-5	3.B+00
Pyridine	110-86-1	0.04B-02
Reserpine	50-55-5	0.00003B-05
Selenourea	630-10-4	0.2B-01

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Silver cyanide	506-64-9	4.B+00
Sodium cyanide	143-33-9	1.B+00
Strychnine	57-24-9	0.01B-02
1,2,4,5-Tetrachlorobenzene	95-94-3	0.01B-02
1,1,2,2-tetrachloroethane	79-34-5	0.002B-03
Tetrachloroethylene	127-18-4	0.7B-01
2,3,4,6-Tetrachlorophenol	58-90-2	0.01B-02
Tetraethyl lead	78-00-2	0.000004B-06
Thiourea	62-56-6	0.0002B-04
Toluene	108-88-3	10.B+01
Toxaphene	8001-35-2	0.005B-03
1,1,2-Trichloroethane	79-00-5	0.006B-03
Trichloroethylene	79-01-6	0.05B-03
Trichloromonofluoromethane	75-69-4	10.B+01
2,4,5-Trichlorophenol	95-95-4	4.B+00
2,4,6-Trichlorophenol	88-06-2	4.B+00
Vanadium pentoxide	1314-62-1	0.7B-01
Vinyl chloride	75-01-4	0.002B-03

(Source: Amended at 18 Ill. Reg.

effective

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- 1) Heading of the Part: Bingo License and Tax Act
- 2) Code Citation: 86 Ill. Adm. Code 430
- 3) Section Numbers:
430.110
Amendment
- 4) Statutory Authority: Bingo License and Tax Act, 230 ILCS 25/1
- 5) Effective Date of Amendment(s): Aug. 2, 1994
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: Aug. 2, 1994
- 9) Notice of Proposal Published in Illinois Register: March 18, 1994, 18 Ill. Reg. 4101

10) Has JCAR issued a Statement of Objections to these Amendments?
No

11) Differences between proposal and final version: Pursuant to the request of JCAR, the following changes were made:

1. In the Authority Note, deleted "/1" in the Citation.
2. In Section 430.110(a), changed "(Section 1 of The Act)" to "(Section 1 of the Act)" in two places.
3. In Section 430.110(a)(1), changed "; (Section 1 of The Act)" to "(Section 1 of the Act);".
4. In Section 430.110(a)(2), changed "(Section 1 of The Act)" to "(Section 1 of the Act);".
5. In Section 430.110(a)(3), changed "; (Section 1 of The Act)" to "(Section 1 of the Act);".
6. In Section 430.110(a)(4), (5) and (6), changed "; (Section 1 of The Act)." to "(Section 1 of the Act);".
7. In Section 430.110(a)(7) and (8), changed "(Section 1 of The Act)." to "(Section 1 of the Act)." in two places.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

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15) Summary and Purpose of Amendment(s): Section 430.110 is being amended to delete the requirement that an organization submit a copy of a document from the Attorney General of Illinois showing that it has registered, or is exempt from registration, under the Solicitation for Charity Act (225 ILCS 460/1). This provision, which is not statutorily based, has not shown to be beneficial for the Department's application process, and is burdensome for applicants.

16) Information and questions regarding this adopted amendment shall be directed to:

Stanley T. Cichowski
Deputy General Counsel
Illinois Department of Revenue
Office of General Counsel
101 West Jefferson
Springfield, Illinois 62794
Phone: (217) 782-7054

The full text of the Adopted Amendment begins on the next page:

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TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUEPART 430
BINGO LICENSE AND TAX ACT

Section	
430.100	Definitions
430.110	Regular Licenses
430.120	Limited Licenses
430.125	Senior Citizens Restricted Licenses
430.130	Suppliers Licenses
430.140	Providers Licenses
430.150	Ineligibility for License
430.160	Restrictions and Limitations on the Conducting of Bingo
430.170	Imposition of Tax; Returns
430.180	Records; Audits
430.190	Denial, Suspension, or Revocation of Licenses
430.200	Civil Penalties

AUTHORITY: Implementing and authorized by the Bingo License and Tax Act [230 ILCS 25].

SOURCE: Adopted August 31, 1971; amended at 2 Ill. Reg. 41, p. 154, effective July 22, 1978; amended at 3 Ill. Reg. 18, p. 219, effective May 4, 1979; amended at 4 Ill. Reg. 38, p. 213, effective September 8, 1980; emergency amendment at 6 Ill. Reg. 9012, effective July 23, 1982, for a maximum of 150 days; codified at 6 Ill. Reg. 14688; rules repealed, new rules adopted at 7 Ill. Reg. 6100, effective June 1, 1983; amended at 15 Ill. Reg. 10944, effective July 10, 1991; amended at 16 Ill. Reg. 14688, effective September 14, 1992; amended at 18 Ill. Reg. _____, effective _____.

Section 430.110 Regular Licenses

a) Eligibility. To be eligible for a regular license an organization must have been organized in Illinois, and during the entire five year period preceding application must have had a bona fide membership engaged in carrying out its objects. However, the five year requirement shall be reduced to two years if the Illinois organization is affiliated with and chartered by a national organization which meets the five year requirement. (Section 1 of the Act) To be "chartered" by a national organization, an Illinois organization must have a document issued by the national organization formally authorizing the establishment of the Illinois organization. The organization must be conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation. (Section 1 of the Act) In addition, the organization must fall within one of the following categories:

1) Charitable Organization: an organization organized and operated

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to benefit an indefinite number of the public (Section 1 of the Act);

- 2) Educational Organization: an organization organized and operated to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax supported schools. (Section 1 of the Act) Public schools and school districts are not eligible for regular licenses;
- 3) Religious Organization: any church, congregation, society, or organization founded for the purpose of religious worship (Section 1 of the Act);
- 4) Fraternal Organization: an organization of persons, including ethnic organizations, having a common interest, organized and operated exclusively to promote the welfare of its members and to benefit the general public on a continuing and consistent basis (Section 1 of the Act);
- 5) Veterans Organization: an organization comprised of members of which substantially all are individuals who are veterans or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit (Section 1 of the Act);
- 6) Labor Organization: an organization composed of labor unions or workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations (Section 1 of the Act);
- 7) Youth Athletic Organization: an organization having as its exclusive purpose the promotion and provision of athletic activities for youth aged 18 and under. (Section 1 of the Act) Marching bands and drum and bugle corps are considered to be promoting and providing athletic activities. A youth athletic organization otherwise eligible for a regular license does not lose its eligibility because youths served by the organization become nineteen while participating in an athletic activity within a season of definite duration;
- 8) Senior Citizens Organization: an organization or association comprised of members of which substantially all are individuals who are 55 years of age or older, or who are nearing the age of 55 and for whom opportunities for employment and participation in community life are unavailable or severely limited and who, as a result thereof, have difficulty in maintaining self-sufficiency and contributing to the life of the community. The primary purpose of the organization must be the promotion of the welfare of its members. (Section 1 of the Act)

b) Applications. Application for a regular license must be made on the form prescribed by the Department, and must be accompanied by a license fee of \$200 in the form of a certified check or money order

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payable to the Illinois Department of Revenue. The Department will not consider applications which are not substantially complete, or which are not accompanied by the information described below.

1) Renewal applications. An application for renewal of a current regular license must be accompanied by the following information:

A) A report, on a form provided by the Department or on a reasonable facsimile thereof, which contains the same information requested on the Department's form, accounting for the disposition of the gross proceeds derived from bingo during the period covered by the report. (See Section 430.180(a));

B) The names of the members of the organization and the auxiliary organization (substantially all of whose members are spouses of members of the sponsoring organization) who will be workers at the bingo sessions (other than the "Operators" whose names are shown on the application form).

A presiding officer or operator of the organization must certify that the listed members have belonged to the organization for at least 30 days prior to participation in the organization's bingo sessions;

C) Any other information requested by the Department which is necessary to establish the continued eligibility of the organization for a regular license.

2) New applications. An organization applying for a regular license for the first time, or an organization which has held a regular license that expired prior to the receipt by the Department of a substantially complete application for renewal of the license, must submit the following information in addition to the completed application form:

A) Documentary evidence sufficient to show that the organization meets the eligibility requirements of subsection (a) above. Such documentation (by-laws, constitution, charter, minutes of past meetings, promotional material, and Articles of Incorporation) should prove that the organization has been carrying out its objectives for the 5 years preceding application;

B) ~~A copy of the letter or any other document issued to the organization by the Attorney General showing that the organization has registered, or is exempt from registration under the Solicitation for Charity Act (33 Rev-Stat-1991, Ch-237, pars-5101-et-seq.)~~

Be) The names of the members of the organization and the auxiliary organization (substantially all of whose members are spouses of members of the sponsoring organization) who will be workers at the bingo sessions (other than the "Operators" whose names are shown on the application form). A presiding officer or operator of the organization must certify that the listed members have belonged to the organization for at least 30 days prior to participation in

the organization's bingo sessions;

Cb) Any other information requested by the Department which is necessary to establish the eligibility of the organization for a regular license;

Db) The application must also be accompanied by a bond equal to the applicant's anticipated average quarterly tax liability, as described in Section 430.170 below. The bond may be a bond from a surety company or may be a bank certificate of deposit made payable to the Director of the Department. The bond may also be a personal surety bond signed by two personal sureties who have filed, with the Department, sworn statements disclosing net assets equal to at least three times the amount of the bond to be required of such applicant. The Department will require an additional bond whenever the bond already posted does not cover the licensee's average quarterly tax liability, or if in the Department's judgment the amount of bond or other security is not sufficient to protect the State against failure to pay the amount which may become due from the licensee. In determining whether to require the furnishing of additional bond or other security by a licensee, the Department will consider payment history, general financial condition, and any other factors which reasonably indicate increased risk of nonpayment of the licensee's tax liability.

c) Each regular license shall be valid for one year from its date of issuance. It is the policy of the Department to mail a renewal application to each regular licensee at least 30 days prior to the expiration of the license. However, failure to receive a renewal application does not excuse a licensee of its obligation to submit a substantially complete renewal application prior to the expiration of its current license. If the licensee fails to file a substantially complete renewal application prior to the expiration of its license, it must cease bingo activities until a renewal license is issued.

d) Special operator's permits (special permits). A regular license entitles the licensee to obtain up to two special permits each license year. A special permit authorizes the licensee to conduct one session per day for up to seven consecutive days on premises other than those used by the organization for bingo under its regular license. A licensee may conduct bingo at the Illinois State Fair or any county fair held in Illinois during each day that the fair is in effect. Such bingo games therein conducted shall not require a special operator's permit.

The licensee must, however, notify the Department in writing 30 days before the desired starting date of the days the bingo will be conducted and the location.

1) To apply for a special permit a licensee must submit a request for the permit, in writing, to the Illinois Department of Revenue, Office of Bingo and Charitable Games, Post Office Box 19480, Springfield, Illinois 62794. The request must state the

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proposed date(s), beginning and ending times, and location of the sessions to be played under the special permit. If the person or organization providing the premises for bingo under the special permit has a provider's license issued by the Department, the provider's license number must be included in the request, and a copy of any lease or rental agreement must accompany the request.

- 2) Requests for special permits should be received by the Department at least 30 days before the desired starting date for the special permit. The Department will approve or deny such requests no later than one week prior to the desired starting date. Requests received by the Department less than 30 days before the desired starting date will be accepted, and the Department shall make every reasonable effort to approve or deny the request before the desired starting date, but in no case may any licensee conduct special bingo sessions without having in its possession a special permit issued by the Department, or without having been informed by the Department that the request has been approved.

- 3) An organization may not conduct bingo under both its regular license and a special permit on the same day.

- e) A regular license authorizes the licensee to conduct bingo only at the location, on the day, and during the time period stated on the license. If a licensee wishes to change the location, day or time of its bingo, it may do so by requesting, in writing, an amended license. No additional fee will be charged for the first amended license in any one license year. Second and subsequent requests for changes in the location, day or time of bingo will be treated as applications for a new license, and must be accompanied by an application fee of \$200. The Department will not permit a licensee to conduct bingo on any day other than the day stated on the license when the change is requested because a holiday falls on the day stated on the license. When inclement weather (weather which is not conducive to the conducting of games, e.g., blizzard, tornado warnings, severe thunderstorms) has caused a licensee to cancel a scheduled game, the game may be made up on a day of the week other than the day authorized by the license, if the licensee notifies the Department in advance of the rescheduled day. An officer of the licensee must notify the Department by telephone of the new date and time, as well as the reason for rescheduling, in advance of the rescheduled game. The same officer must then verify this information in a letter to the Department.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

- 1) Heading of the Part: Meat and Poultry Inspection Act
- 2) Code Citation: 8 Ill. Adm. Code 125
- 3) Section Numbers: Peremptory Action:
125.270 Amended
125.280 Amended
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which requires this Peremptory Rulemaking: The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 316) [225 ILCS 650/16]; and the Federal Meat Inspection Act (21 U.S.C.A. 661); 59 FR 33641 (1994).
- 5) Statutory Authority: The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 316) [225 ILCS 650/16].
- 6) Effective Date: July 29, 1994
- 7) A Complete Description of the Subjects and Issues Involved: In order to maintain an "equal to" status with the federal meat inspection program as required by the Federal Meat Inspection Act and in compliance with Section 16 of the Meat and Poultry Inspection Act, changes in the federal rules relative to meat inspection are hereby adopted. The Food Safety and Inspection Service (FSIS) is amending the Federal meat inspection regulations to update references to the "Official Methods of Analysis of the Association of Official Analytical Chemists (AOAC)" Book of Methods. The AOAC's page numbers have changed and therefore the citations in the regulations also need to be changed. To make it easier for the reader to find the referenced analytical methods in past editions and the current edition of this AOAC publication, the new citations in the regulations reflect the chapters where the referenced methods can be found in this AOAC publication, rather than the page numbers. These federal amendments were published at 59 FR 33641 (June 30, 1994) and became effective June 30, 1994.
- 8) Does this rulemaking contain an automatic repeal date: No
- 9) Date Filed in Agency's Principal Office: July 29, 1994
- 10) This rule is in compliance with Section 5-50 of the Illinois Administrative Procedure Act.
- 11) Are there any proposed amendments pending to this Part? Yes, a proposed amendment to Section 125.110 (published at 18 Ill. Reg. 9027, 6/24/94) is pending.
- 12) Statement of Statewide Policy Objectives: Rulemaking does not affect

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TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER c: MEAT AND POULTRY INSPECTION ACT

PART 125
MEAT AND POULTRY INSPECTION ACT

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR
POULTRY INSPECTION

Section	Definitions
125.10	Incorporation by Reference of Federal Rules
125.20	Application for License; Approval
125.30	Official Number
125.40	Inspections; Suspension or Revocation of License
125.50	Administrative Hearings; Appeals
125.60	Assignment and Authority of Program Employees
125.70	Schedule of Operations; Overtime
125.80	Official Marks of Inspection, Devices and Certificates
125.90	Records and Reports
125.100	Exemptions
125.110	Disposal of Dead Animals and Poultry
125.120	Reportable Animal and Poultry Diseases
125.130	Detention; Seizure; Condemnation
125.140	

SUBPART B: MEAT INSPECTION

Section	Livestock and Meat Products Entering Official Establishments
125.150	Equine and Equine Products
125.160	Facilities for Inspection
125.170	Sanitation
125.180	Ante-Mortem Inspection
125.190	Post-Mortem Inspection
125.200	Disposal of Diseased or Otherwise Adulterated Carcasses and Parts
125.210	Humane Slaughter of Animals
125.220	Handling and Disposal of Condemned or Other Inedible Products at Official Establishment
125.230	Rendering or Other Disposal of Carcasses and Parts Passed for Cooking
125.240	Marking Products and Their Containers
125.250	Labeling, Marking and Containers
125.260	Entry into Official Establishment; Reinspection and Preparation of product
125.270	
125.280	Meat Definitions and Standards of Identity or Composition
125.290	Transportation
125.295	Imported Products
125.300	Special Services Relating to Meat and Other Products
125.305	Exotic Animal Inspection

DEPARTMENT OF AGRICULTURE
NOTICE OF PEREMPTORY AMENDMENTS

units of local governments.

13) Information and questions regarding this adopted amendment shall be directed to:

Name: Debbie Wakefield
Address: Illinois Department of Agriculture
State Fairgrounds, Springfield,
Illinois 62794-9281
Telephone: 217/782-2172
FAX: 217/785-4505

The full text of the peremptory amendments begins on the next page:

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

SUBPART C: POULTRY INSPECTION

Section	
125.310	Application of Inspection
125.320	Facilities for Inspection
125.330	Sanitation
125.340	Operating Procedures
125.350	Ante-Mortem Inspection
125.360	Post-Mortem Inspection; Disposition of Carcasses and Parts
125.370	Handling and Disposal of Condemned or Inedible Products at Official Establishments
125.380	Labeling and Containers
125.390	Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements
125.400	Definitions and Standards of Identity or Composition
125.410	Transportation; Sale of Poultry or Poultry Products

AUTHORITY: Implementing and authorized by the Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 301 et seq.) [225 ILCS 650] and Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16) [20 ILCS 5/16].

SOURCE: Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; peremptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; peremptory amendment at 9 Ill. Reg. 2980, effective February 20, 1985; peremptory amendment at 9 Ill. Reg. 4856, effective April 1, 1985; peremptory amendment at 9 Ill. Reg. 9240, effective June 5, 1985; peremptory amendment at 9 Ill. Reg. 10102, effective June 13, 1985; peremptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; peremptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; peremptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; peremptory amendment at 9 Ill. Reg. 19759, effective December 5, 1985; peremptory amendment at 10 Ill. Reg. 447, effective December 23, 1985; peremptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; peremptory amendment at 10 Ill. Reg. 3318, effective January 24, 1986; peremptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; peremptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; peremptory amendment at 10 Ill. Reg. 14858, effective August 22, 1986; peremptory amendment at 10 Ill. Reg. 15305, effective September 10, 1986; peremptory amendment at 10 Ill. Reg. 16743, effective September 19, 1986; peremptory amendment at 10 Ill. Reg. 18203, effective October 15, 1986; peremptory amendment at 10 Ill. Reg. 19818, effective November 12, 1986; peremptory amendment at 11 Ill. Reg. 1696, effective January 5, 1987; peremptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; peremptory amendment at 11 Ill. Reg. 9645, effective April 29, 1987; peremptory amendment at 11 Ill. Reg. 10321, effective May 15, 1987; peremptory amendment at 11 Ill. Reg. 11184, effective June 5, 1987; peremptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; peremptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; peremptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; peremptory amendment at 12 Ill. Reg. 2154, effective January 6, 1988;

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

amended at 12 Ill. Reg. 3417, effective January 22, 1988; peremptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; peremptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 6819, effective March 29, 1988; peremptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; peremptory amendment at 12 Ill. Reg. 13116, effective November 1, 1988; peremptory amendment at 12 Ill. Reg. 20894, effective December 21, 1988; peremptory amendment at 13 Ill. Reg. 228, effective January 11, 1989; peremptory amendment at 13 Ill. Reg. 2160, effective February 13, 1989; amended at 13 Ill. Reg. 3696, effective March 13, 1989; peremptory amendment at 13 Ill. Reg. 15853, effective October 5, 1989; peremptory amendment at 13 Ill. Reg. 16838, effective October 11, 1989; peremptory amendment at 13 Ill. Reg. 17495, effective January 18, 1990; amended at 14 Ill. Reg. 3424, effective February 26, 1990; peremptory amendment at 14 Ill. Reg. 4953, effective March 23, 1990; peremptory amendment at 14 Ill. Reg. 11401, effective July 6, 1990; peremptory amendment at 14 Ill. Reg. 13355, effective August 20, 1990; peremptory amendment at 14 Ill. Reg. 16064, effective September 24, 1990; peremptory amendment at 14 Ill. Reg. 21060, effective May 29, 1991; peremptory amendment at 15 Ill. Reg. 620, effective January 2, 1991; peremptory amendment withdrawn at 15 Ill. Reg. 1574, effective January 2, 1991; peremptory amendment at 15 Ill. Reg. 3117, effective September 3, 1991; peremptory amendment at 15 Ill. Reg. 8714, effective May 29, 1991; amended at 15 Ill. Reg. 8801, effective June 7, 1991; peremptory amendment at 15 Ill. Reg. 13976, effective September 20, 1991; peremptory amendment at 16 Ill. Reg. 1899, effective March 2, 1992; amended at 16 Ill. Reg. 8349, effective May 26, 1992; peremptory amendment at 16 Ill. Reg. 11687, effective July 10, 1992; peremptory amendment at 16 Ill. Reg. 11963, effective July 22, 1992; peremptory amendment at 16 Ill. Reg. 12234, effective July 24, 1992; peremptory amendment at 16 Ill. Reg. 16337, effective October 19, 1992; peremptory amendment at 16 Ill. Reg. 17165, effective October 21, 1992; peremptory amendment at 17 Ill. Reg. 2063, effective February 12, 1993; peremptory amendment at 17 Ill. Reg. 15725, effective September 8, 1993; peremptory amendment at 17 Ill. Reg. 16238, effective October 5, 1993; amended at 18 Ill. Reg. 304, effective December 23, 1993; peremptory amendment at 18 Ill. Reg. 2164, effective January 24, 1994; amended at 18 Ill. Reg. 4622, effective March 14, 1994; peremptory amendment at 18 Ill. Reg. 6442, effective April 18, 1994; peremptory amendment at 18 Ill. Reg. 8493, effective May 27, 1994; amended at 18 Ill. Reg. 11489, effective July 7, 1994; peremptory amendment at 18 Ill. Reg. _____, effective July 29, 1994.

Section 125.270 Entry into Official Establishment; Reinspection and Preparation of Product

a) The Department incorporates by reference 9 CFR 318.1(c) through 318.7, 318.9 through 318.10, 318.14 through 318.20, 318.22, 318.23, 318.300 through 318.311 (1990); 54 FR 43041, effective January 18, 1990; 55 FR 7294, effective August 28, 1990; 55 FR 34678, effective September 24, 1990, as amended by 55 FR 49991, December 4, 1990; 57 FR 27870, effective July 22, 1992; 57 FR 42885, effective October 19, 1992; 58

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

FR 4067, effective 12, 1993; 58 FR 41138, effective September 1, 1993; 58 FR 42188, effective September 8, 1993; 58 FR 45238 and 58 FR 45240, effective September 27, 1993; 58 FR 59934, effective December 13, 1993; 58 FR 63521, effective January 3, 1994; 59 FR 12536, effective April 18, 1994; 59 FR 33641, effective June 30, 1994).

- b) No meat or meat product shall be brought into an official establishment unless it is inspected or has been prepared in an official establishment or in a federally licensed establishment and is identified by an official inspection legend as set forth in Section 125.90, a federal inspection legend, or is exempt from inspection as stated in Section 125.110. Meat and meat products received in an official establishment during the absence of the inspector shall be identified as set forth in Section 125.200 and, unless exempt from inspection, shall not be used or prepared until they have been reinspected. Any meat and meat product originally prepared at any official establishment may not be returned to any part of such establishment other than the receiving area until it has been reinspected by the inspector and passed. Wild game carcasses shall comply with Section 5(B)(4) of the Act. The official establishment shall maintain an inventory of non-meat items (e.g., spices, preservatives) which are received at the official establishment product that is brought on the premises of an official establishment contrary to the provisions of this Section shall be removed immediately from such establishment by the operator of the establishment.
- c) Reinspections of meat and/or meat products within the official establishment shall be performed through the use of a random digit table.
- d) Docks and receiving rooms for meat and/or meat products or other articles used by the establishment in the preparation of meat products entering an official establishment shall be approved by the inspector if the location of such docks or receiving rooms will not permit such product or article to pass through rooms containing inspected and passed products.
- e) The manner of defrosting frozen products and methods of treating to preserve products shall be in accordance with procedures as set forth in the "Meat and Poultry Inspection Manual" as adopted in Section 125.20.
- f) Casings or weasand shall be inspected and passed if it is in compliance with the specific provisions as stated in 9 CFR 318.5(i) for passage of such articles.
- g) The Department does not approve new substances to be used on meat or in meat products, their uses or the levels of use of an approved substance. Such substances will be permitted to be used and artificial flavorings may be used if they do not adulterate the meat and/or meat product in accordance with Section 2.11 of the Act and are in compliance with the provisions of this Section.
- h) References to exemptions from slaughter and custom slaughter shall mean those exemptions set forth in Section 125.110.

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

- i) Reference to 9 CFR 327 are not applicable to the Department in its enforcement of the rules of this Part. References to the federal Poultry Inspection Act, Section 403 of the Act, Section 7 of the Act, 9 CFR 303, and paragraph 23(a) of the Act shall be interpreted to mean in accordance with The Meat and Poultry Inspection Act and the rules of this Part.
- j) The Department does not approve thermometers for use in smokehouses, dry rooms and other compartments that are used in the treatment of pork.
- k) Disinfectants shall be those as set forth in Section 125.180.
- l) Adequate vacuum shall be determined through the use of vacuum gauges.
- m) Canned products which may be processed without steampressure cooking shall be those products as stated in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.
- n) The inspector shall permit lots of canned product to be shipped from the official establishment prior to the completion of the incubation period on the representative samples in accordance with the specific provisions in 9 CFR 318.309.
- o) The standards and procedures for determining when ingredients of finished products are in compliance with this Section shall be as set forth in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.

(Source: Peremptory amendment at 18 Ill. Reg. _____, effective July 29, 1994)

Section 125.280 Meat Definitions and Standards of Identity or Composition

The Department incorporates by reference 9 CFR 319 (1990; 55 FR 34678, effective September 24, 1990; 56 FR 41445, effective September 20, 1991; 57 FR 42885, effective October 19, 1992; 59 FR 33641, effective June 30, 1994). Methods for the destruction of live trichinae in pork shall be as set forth in Section 125.270 (specifically the incorporated language of 9 CFR 318.10(c)).

(Source: Amended at 18 Ill. Reg. _____, effective July 29, 1994)

BOARD OF HIGHER EDUCATION

NOTICE OF CORRECTION TO NOTICE ONLY

1) Heading of the Part: Health Services Education Grants Act

2) Code Citation: 23 Ill. Adm. Code 1020

3) The Notice of Proposed Amendments being corrected at 18 Ill. Reg. 11684, dated July 29, 1994.

4) The information being corrected is as follows:

On the first page of the Notice of Proposed Amendments, the third paragraph under #5, Description of Subjects and Issues Involved, should read, "Definitions for allied health programs and eligible programs are proposed to further clarity those programs eligible for funding."

JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER

ROOM 16-503

CHICAGO, ILLINOIS

10:00 A.M.

AUGUST 16, 1994

NOTICE: It is the policy of the Committee to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

Joint Committee on Administrative Rules
700 Stratton Building
Springfield, Illinois 62706

AGENDA

I. Approval of July 19, 1994 Minutes

II. Review of Proposed Agency Rulemaking

Aging

1. Older Americans Act Programs (89 Ill Adm Code 230)
 - First Notice Published: 18 Ill Reg 5720 - 4/15/94
 - Expiration of Second Notice Period: 9/1/94

Agriculture

2. Weights and Measures Act (8 Ill Adm Code 600)
 - First Notice Published: 18 Ill Reg 8519 - 6/10/94
 - Expiration of Second Notice Period: 9/11/94

Alcoholism and Substance Abuse

3. Subacute Alcoholism and Substance Abuse Treatment Services (77 Ill Adm Code 2090)
 - First Notice Published: 18 Ill Reg 5029 - 4/1/94
 - Expiration of Second Notice Period: 9/7/94

Conservation

4. White-Tailed Deer Hunting by Use of Firearms (17 Ill Adm Code 650)
 - First Notice Published: 18 Ill Reg 7180 - 5/13/94
 - Expiration of Second Notice Period: 8/24/94
5. White-Tailed Deer Hunting Season by Use of Muzzleloading Rifles (17 Ill Adm Code 660)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:00 A.M.
AUGUST 16, 1994

- First Notice Published: 18 Ill Reg 7183 - 5/13/94
- Expiration of Second Notice Period: 8/24/94

Elections

6. The Campaign Finance Act (26 Ill Adm Code 100)
 - First Notice Published: 17 Ill Reg 14333 - 9/10/93
 - Expiration of Second Notice Period: 8/27/94
7. Miscellaneous (26 Ill Adm Code 207)
 - First Notice Published: 17 Ill Reg 14342 - 9/10/93
 - Expiration of Second Notice Period: 8/27/94

JCAR

8. Distribution of Database Information (1 Ill Adm Code 255)
 - First Notice Published: 18 Ill Reg 8792 - 6/17/94
 - Expiration of Second Notice Period: 9/14/94

Pollution Control Board

9. Requirements for New Steel and Foundry Industry (35 Ill Adm Code 817)
 - First Notice Published: 18 Ill Reg 6246 - 4/29/94
 - Expiration of Second Notice Period: 8/24/94

Public Aid

10. Food Stamps (89 Ill Adm Code 121)
 - First Notice Published: 18 Ill Reg 6251 - 4/29/94
 - Expiration of Second Notice Period: 9/7/94
11. Medical Payment (89 Ill Adm Code 140)
 - First Notice Published: 18 Ill Reg 5778 - 4/15/94
 - Expiration of Second Notice Period: 9/11/94

Racing Board

12. Medication (11 Ill Adm Code 509)
 - First Notice Published: 18 Ill Reg 5795 - 4/15/94
 - Expiration of Second Notice Period: 8/24/95

13. General License Rules (11 Ill Adm Code 1313)
 - First Notice Published: 18 Ill Reg 6680 - 5/6/94
 - Expiration of Second Notice Period: 8/24/94

JOINT COMMITTEE ON ADMINISTRATIVE RULES
JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:00 A.M.
AUGUST 16, 1994

Revenue

14. Retailers' Occupation Tax (86 Ill Adm Code 130)
 - First Notice Published: 18 Ill Reg 6684 - 5/6/94
 - Expiration of Second Notice Period: 8/24/94

Secretary of State

15. Procedures and Standards (92 Ill Adm Code 1001)
 - First Notice Published: 18 Ill Reg 7731 - 5/20/94
 - Expiration of Second Notice Period: 9/9/94

State Fire Marshal

16. Storage, Transportation, Sale and Use of Liquefied Petroleum Gases (41 Ill Adm Code 200)
 - First Notice Published: 18 Ill Reg 22 - 1/7/94
 - Expiration of Second Notice Period: 8/27/94

Transportation

17. Minimum Safety Standards for Construction of School Buses Used in Special Education Transportation (92 Ill Adm Code 444)
 - First Notice Published: 18 Ill Reg 6318 - 4/29/94
 - Expiration of Second Notice Period: 8/24/94

18. Minimum Safety Standards for Construction of Type II School Buses (92 Ill Adm Code 442)
 - First Notice Published: 18 Ill Reg 6304 - 4/29/94
 - Expiration of Second Notice Period: 8/24/94

19. Minimum Safety Standards for Construction of Type I School Buses (92 Ill Adm Code 440)
 - First Notice Published: 18 Ill Reg 6272 - 4/29/94
 - Expiration of Second Notice Period: 8/24/94

20. Vehicle Inspection Section Hearings (92 Ill Adm Code 450)
 - First Notice Published: 18 Ill Reg 7733 - 5/20/94
 - Expiration of Second Notice Period: 8/27/94

III. Certification of No Objection to Proposed Rulemakings

IV. Review of Emergency and Peremptory Rulemakings

Central Management Services

JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER

ROOM 16-503

CHICAGO, ILLINOIS

10:00 A.M.

AUGUST 16, 1994

21. Pay Plan (80 Ill Adm Code 310) (Emergency)
 -Notice Published: 18 Ill Reg 11299 - 7/15/94

Banks and Trust Companies

22. Unimpaired Capital and Unimpaired Surplus (38 Ill Adm Code 335)
 (Emergency)
 -Notice Published: 18 Ill Reg 11662 - 7/22/94

Public Aid

23. Developmental Disabilities Services (89 Ill Adm Code 144) (Emergency)
 -Notice Published: 18 Ill Reg 11314 - 7/15/94

24. Long Term Care Reimbursement Changes (89 Ill Adm Code 153) (Emergency)
 -Notice Published: 18 Ill Reg 11380 - 7/15/94

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of July 26, 1994 through August 1, 1994, and have been scheduled for review by the Committee at its August 16, 1994 or September 13, 1994 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Office Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
9/9/94	Secretary of State, Procedures and Standards (92 Ill. Adm. Code 1001)	5/20/94 18 Ill Reg 7731	8/16/94
9/11/94	Department of Public Aid, Medical Payment (89 Ill Adm Code 140)	4/15/94 18 Ill Reg 5778	8/16/94
9/11/94	Department of Agriculture, Weights and Measures (8 Ill Adm Code 600)	6/10/94 18 Ill Reg 8519	8/16/94
9/14/94	Joint Committee on Administrative Rules, Distribution of Database Information (1 Ill Adm Code 255)	6/17/94 18 Ill Reg 8792	8/16/94
9/14/94	Department on Aging, Community Care Program (89 Ill Adm Code 240)	4/1/94 18 Ill Reg 5027	9/13/94
9/14/94	Department of Public Health, The Illinois Formulary for the Drug Product Selection Program (77 Ill Adm Code 790)	3/11/94 18 Ill Reg 3205	9/13/94
9/14/94	Department of Public Health, Repeal of The Illinois Formulary for the Drug Product Selection Program (77 Ill Adm Code 790)	3/11/94 18 Ill Reg 3202	9/13/94

**PROCLAMATIONS 94-367
WOMEN'S BUSINESS DEVELOPMENT DAY**

Whereas, the Women's Business Development Center (WBDC) is a nationally recognized nonprofit women's business assistance organization devoted to providing services and programs that support and accelerate women's business ownership and strengthen the impact of women on the economy; and Whereas, the Women's Business Development Center will hold its 8th Annual Entrepreneurial Women's Conference Friday, September 23, 1994, at Chicago's Navy Pier; and

Whereas, the Entrepreneurial Women's Conference has grown to become the principal event for women who are considering going into their own business, women who have been in business and are ready to expand, women entrepreneurs seeking financing, and women who want to do business with government agencies and corporations; and Whereas, this year's conference, "Business Opportunities: Contacts to Contracts" will include internationally recognized women business owners as keynote speakers and forum participants, and workshops that explore all aspects of planning, owning, expanding, marketing, and financing a business; and Whereas, the WBDC was founded in 1986 by Carol Dougal and Hedy Ratner and since then, more than 20,000 women business owners have used its programs and services--counseling, workshops, entrepreneurial training, the Women's Business Finance Program, the Women's Business Enterprise Initiative, and employment and training resources; and Whereas, there are now more than 5.4 million women business owners in the United States and more than 250,000 in Illinois, and women business owners employ 11 million people, 10 percent of all American workers; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 23, 1994, as **WOMEN'S BUSINESS DEVELOPMENT DAY** in Illinois.

Issued by the Governor July 12, 1994.

Filed with the Secretary of State July 22, 1994.

94-368

DELTA SIGMA THETA SORORITY INC. HABITAT FOR HUMANITY DAY

Whereas, Delta Sigma Theta Sorority, Inc., a public service organization, was founded at Howard University in 1913; and Whereas, the sorority founders envisioned an organizations of collegiate women pledged to philanthropic endeavors and community service, and their ideals of service and commitment to scholarship, social action, and community have withstood the test of time for 81 years; and Whereas, the members of Delta Sigma Theta Sorority have gathered 41 times as Grand Chapter in convention to celebrate beloved sisterhood and define Delta goals and existence; and Whereas, today there are more than 200,000 members and 800 chapters throughout the United States, the Virgin Islands, the Bahamas, West Germany, and Seoul, South Korea; and Whereas, the 42nd National Convention will be held July 14-20 in St. Louis, Missouri; and Whereas, eight of the Habitat for Humanity homes are located in East St. Louis, in the great State of Illinois; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 17, 1994, as **DELTA SIGMA THETA SORORITY INC. HABITAT FOR HUMANITY DAY** in Illinois and extend best wishes to Bertha M. Roddey, the 20th National President, and the members of Delta Sigma Theta Sorority Inc.

Issued by the Governor July 14, 1994.

Filed with the Secretary of State July 22, 1994.

**94-369
DOLPHIN FAMILY DAYS**

Whereas, the Dolphin family and their extended families pride themselves on high moral ethics and sound education and spiritual devotion as top priorities for each family unit; and Whereas, "The Spirit Continues" is the recurring thread interwoven throughout each generation as the family tradition of coming together again takes place; and Whereas, the Dolphin family--hailing from Ohio, Kentucky, Arkansas, Illinois, and many other places--will gather on July 29-31 at the Quality Inn in downtown Chicago, where the event this year will be hosted by Hattie Hill and family; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 29-31, 1994, as **DOLPHIN FAMILY DAYS** in Illinois.

Issued by the Governor July 14, 1994.

Filed with the Secretary of State July 22, 1994.

**94-370
ECUADOR DAY**

Whereas, worldwide, the Ecuadorian community celebrates May 24 in recognition of the Battle of the Pichincha, an important event in their quest for independence; and Whereas, August 10 is recognized as the day of independence of the country of Ecuador and the holiday of Ecuadorian persons throughout the world; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 10, 1994, as **ECUADOR DAY** in Illinois in recognition of the historical festivities and in honor of the contributions that Ecuadorians and Ecuadorian-Americans have made and continue to make to the strength, diversity, and prosperity of Illinois.

Issued by the Governor July 14, 1994.

Filed with the Secretary of State July 22, 1994.

94-371

REVEREND GEORGE "ED" RIDDICK/DAY OF MOURNING

Whereas, Reverend George "Ed" Riddick was an active civil rights supporter who worked tirelessly to improve the social conditions of many; and Whereas, Reverend Riddick was a committed clergyman who served the Blackwell Memorial AME Zion Church for more than a decade; and Whereas, Reverend Riddick was a local and national leader. He was a founding member of Operation PUSH and an active supporter of the Southern Christian Leadership Conference and the Church Federation of Chicago; and Whereas, Reverend Riddick served his country in the United States Quartermaster Corps and went on to study at the University of Denver, the University of Wisconsin, and the University of Chicago; and Whereas, for 21 years, he served as host of Operation PUSH's radio program "Saturday Forum"; and Whereas, Reverend Riddick passed away the morning of July 12, 1994; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim a day of mourning in honor of this outstanding individual.

Issued by the Governor July 15, 1994.

Filed with the Secretary of State July 22, 1994.

94-372

UNIT CHURCH USHERS LEAGUE DAY

Whereas, the Unit Church Ushers League is a not-for-profit, interdenominational religious organization of Christian church ushers who have devoted themselves to the ministry of church ushering; and Whereas, the organization was founded in 1919 by John C. Williams of Bethal AME Church. It strives to assist ushers by increasing their knowledge of their chosen ministry and providing them with the opportunity to meet and interact with other ushers for training and spiritual support; and Whereas, the Unit Ushers League of Chicago has grown into a statewide organization, which is affiliated with the National United Church Ushers Association of America, Inc.; and Whereas, the Chicago zone will celebrate its 75th Diamond Jubilee Anniversary on September 24, 1994; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 24, 1994, as UNIT CHURCH USHERS LEAGUE DAY in Illinois.

Issued by the Governor July 15, 1994.

Filed with the Secretary of State July 22, 1994.

94-373

BUD BILLIKEN DAY

Whereas, for 64 years, the annual Chicago Defender Charities' Bud Billiken Parade and Picnic has provided wholesome fun and entertainment without charge to thousands of children; and Whereas, the Bud Billiken observance gives adults an opportunity to share fun and fellowship with youth; and Whereas, this year's Bud Billiken Parade marks the 65th year of this noteworthy, neighborly celebration; and Whereas, the Bud Billiken Parade and Picnic has been one of the most distinguished and outstanding events in the City of Chicago, worthy of the wholehearted support of all citizens; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 13, 1994, as BUD BILLIKEN DAY in Illinois.

Issued by the Governor July 18, 1994.

Filed with the Secretary of State July 22, 1994.

94-374

ETHNIC MUSEUM AND CULTURAL DISPLAY DAY

Whereas, more than 30 Illinois ethnic museums and cultural displays will exhibit their artifacts in the James R. Thompson Center; and Whereas, participants from across the state include the Polish Museum of America, Chicago, which is one of the largest and oldest ethnic museums in the country; DuSable Museum of African-American History, Chicago; Center for Belgian Culture of Western Illinois, Inc., Moline; Mitchell Indian Museum, Evanston; Slovenian Women's Union Heritage Museum, Joliet; Swedish Historical Society of Rockford/Earlander Home Museum, Rockford; and Spertus Museum, Chicago; and Whereas, ethnic museums and cultural displays often rely on limited resources and minimal staff. Their dedicated employees and volunteers are to be commended for their outstanding efforts to record history and share it with others; and Whereas, ethnic museums and cultural displays celebrate the diversity of Illinois and educate the general public; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 21, 1994, as ETHNIC MUSEUM AND CULTURAL DISPLAY DAY in Illinois.

Issued by the Governor July 18, 1994.

Filed with the Secretary of State July 22, 1994.

94-375

ILLINOIS SMALL BUSINESS DEVELOPMENT CENTER NETWORK CONGRATULATED

Whereas, the Illinois Small Business Development Center Network will celebrate its 10th anniversary on August 15, 1994, and the White House Conference on Small Business will hold its first Illinois meeting in Springfield on August 16; and Whereas, a strong and stable economy is largely dependent on the determination and dedication of the small business community; and Whereas, Illinois has more than 400,000 established small businesses, which produce the majority of the state's jobs; and Whereas, Illinois has recognized the importance of its small businesses by making a strong and targeted commitment to provide assistance through programs administered by the Department of Commerce and Community Affairs' Illinois Small Business Development Center Network, which is comprised of Small Business Development Centers, Procurement Assistance Centers, and International Trade Centers, in cooperation with the United States Small Business Administration, the United States Department of Defense, Illinois colleges and universities, Chambers of Commerce, Economic and Neighborhood Development Organizations, and the private sector throughout Illinois; and Whereas, over the last 10 years, the Illinois Small Business Development Center Network has counseled more than 130,000 and trained 94,000 Illinoisans on running successful small businesses, helped clients start more than 4,900 new businesses, expand 1,100 businesses, obtain some \$400 million in business financing, secure 11,000 government contracts worth more than \$922 million, and secure export sales contracts worth \$26 million; and Whereas, women and minority-owned businesses are a significant economic resource and a vital component of the Illinois economy; Therefore, I, Jim Edgar, Governor of the State of Illinois, offer my sincere congratulations and appreciation to the members of the Illinois Small Business Development Center Network for 10 years of outstanding service to small businesses and offer my welcome to the participants of the White House Conference on Small Business.

Issued by the Governor July 18, 1994.

Filed with the Secretary of State July 22, 1994.

94-376

CHIEF KENNETH ALLEY DAY

Whereas, for the past 30 years, Chief Kenneth R. Alley has served Illinois' criminal system in positions ranging from Patrol Officer to Chief of Police of the Schaumburg Police Department; and Whereas, his professional accomplishments and contributions to law enforcement, as well as his strong leadership, have earned him recognition and respect among the law enforcement community; and Whereas, throughout his career, Chief Alley has displayed exemplary service and commitment to Illinois' law enforcement system and has positively influenced all who have come in contact with him; and Whereas, Chief Alley will retire from his position as Chief of Police; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 20, 1994, as CHIEF KENNETH ALLEY DAY in Illinois in appreciation of his dedication and commitment to excellence in law enforcement.

Issued by the Governor July 20, 1994.

Filed with the Secretary of State July 22, 1994.

94-377

HELP RETARDED CITIZENS DAYS

Whereas, members of the Illinois State Council of the Knights of Columbus will conduct their 26th annual fund drive October 21-22 to benefit our mentally retarded citizens. Last fall, the Knights raised more than 1.75 million dollars, which were distributed to more than 300 organizations devoted to assisting individuals with mental handicaps; and Whereas, the Illinois State Council of the Knights of Columbus has provided funds and personal assistance to allow youngsters to participate in the Special Olympics program; and Whereas, the Illinois State Council has provided more than 2.5 million dollars to build or reconstruct more than twenty homes for the mentally retarded in all six Diocese of Illinois; and Whereas, since the Illinois State Council of the Knights of Columbus initiated this program, 43 other states have activated similar campaigns to provide much needed financial assistance for the mentally retarded; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 21-22, 1994, as HELP RETARDED CITIZENS DAYS in Illinois and commend the Knights of Columbus for its generous efforts. Issued by the Governor July 20, 1994.

Filed with the Secretary of State July 22, 1994.

94-378

HILLSBORO BLUEGRASS MUSIC DAYS

Whereas, July 22-24, 1994, is the 15th anniversary of the Western Illinois Bluegrass Association Music Festival, which is held annually on the Sherwood Forest Bluegrass Valley Stage at Hillsboro; and Whereas, Bluegrass music is an important part of our folk heritage in Illinois and is enjoyed by many of our citizens; and Whereas, in 1987, the Western Illinois Bluegrass Association named Hillsboro the Bluegrass Capital of Illinois. The State of Illinois welcomes tourists and Bluegrass music entertainers from Illinois, Oklahoma, Tennessee, Arkansas, and Missouri; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 22-24, 1994, and September 16-18, 1994, as HILLSBORO BLUEGRASS MUSIC DAYS in Illinois, in recognition of this 15th anniversary and its directors, Jake Feazel, Mac Patterson, Commissioner Dick James, and the City of Hillsboro for tireless work through the years.

Issued by the Governor July 20, 1994.

Filed with the Secretary of State July 22, 1994.

94-379

LADIES PRO BOWLERS TOUR WEEK

Whereas, more than 79 million people in the United States bowl. Of these people, 35 percent are women, 32 percent are men, and 33 percent are young people; and Whereas, the Ladies Pro Bowlers Tour represents the best women bowlers in the world and conducts 22 nationally televised events each year; and Whereas, during organized league play every week, 2.5 million women enjoy the sport of bowling; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim December 4-10, 1994, as LADIES PRO BOWLERS TOUR WEEK in Illinois.

Issued by the Governor July 20, 1994.

Filed with the Secretary of State July 22, 1994.

94-380

MAINE TOWNSHIP DAY

Whereas, Maine Township will honor the Maine Township Neighborhood Watch program on Saturday, July 30; and

Whereas, the Maine Township Neighborhood Watch Program began in the spring of 1992 following a gang-related fatal shooting of an area teenager; and Whereas, co-chairs Mr. Robbin White and Ms. Chris Stat have supported the program since its inception, involving the Maine Township Drop-In Center and kids in grades 5-12; and Whereas, the Maine Township Neighborhood Watch Program has been cited by the Cook County Sheriff's Police as the "most successful organization of its kind in Cook County, unifying the community and providing kids with alternatives to gang involvement; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 30, 1994, as MAINE TOWNSHIP DAY in Illinois.

Issued by the Governor July 20, 1994.

Filed with the Secretary of State July 22, 1994.

94-381

PETE FRANTZ DAY

Whereas, Weldon Brandt "Pete" Frantz, born June 9, 1916, to Jennie and Marion Frantz, graduated from Atlanta High School in Illinois in 1934, and became Deputy Treasurer of Logan County in 1939; and Whereas, Pete served during World War II in the U.S. Air Force and was held as a prisoner of war in Germany for 14 months; and Whereas, upon his return and honorable discharge from the Air Force, Pete Frantz opened Frantz Bookkeeping Service in Lincoln; and Whereas, in 1962, he took office as Treasurer of Logan County to fill a vacancy, then was elected Treasurer and served one term. In 1966, Frantz was elected County Clerk and Recorder of Logan County and is now serving his seventh consecutive term in that office; and Whereas, over the many years of his public service and community involvement, Pete Frantz has become an institution of Logan County politics and remains a permanent fixture at the Logan County Courthouse; Therefore, in honor and recognition of his commitment and contributions to Logan County as both a public official and a voice of the community, I, Jim Edgar, Governor of the State of Illinois, proclaim July 21, 1994, as PETE FRANTZ DAY in Illinois.

Issued by the Governor July 20, 1994.

Filed with the Secretary of State July 22, 1994.

94-382

RAINBOWS MONTH

Whereas, many children and families are affected by divorce, separation, death, and other family losses; and Whereas, RAINBOWS was specifically established to help children, adolescents, and adults cope with the emotional pain and turmoil that often accompanies changes in the family structure; and Whereas, RAINBOWS support groups are offered at 1,000 sites in the State of Illinois, at an additional 4,200 sites throughout the United States, and in several foreign countries; and Whereas, RAINBOWS, a not-for-profit organization headquartered in Schaumburg, has recently started its second decade of service to the citizens of this state and country; Therefore, I,

Jim Edgar, Governor of the State of Illinois, proclaim August 1994 as RAINBOWS MONTH in Illinois and urge all citizens to be aware of the programs offered by this organization.

Issued by the Governor July 20, 1994.

Filed with the Secretary of State July 22, 1994.

94-383

GANG AWARENESS WEEK

Whereas, gangs and gang-related violence rob all citizens of their safety and dignity; and Whereas, an end to gangs and gang-related violence will come only through the cooperation of citizens of all ages, law enforcement officials, businesses, schools, neighborhoods, news media, civic groups, and public officials; and Whereas, when Betty Major-Rose's 15-year-old daughter was shot and killed a few years ago, she channeled her grief by founding a not-for-profit organization--Parents Against Gangs--which is devoted to gang awareness; and Whereas, Parents Against Gangs has chosen the week of September 12-16, the beginning of the school year, to promote activities for parents, neighborhoods, schools, victims of gang- violence, and the general public; and Whereas, the group has organized a Homicide/Gang Advocacy Program to provide support for the families of victims, Operation Parent Sweep to encourage parents to take control of their homes and neighborhoods, and Parent Empowerment Program to provide training in tough love and other parenting skills; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 12-16, 1994, as GANG AWARENESS WEEK in Illinois.

Issued by the Governor July 21, 1994.

Filed with the Secretary of State July 22, 1994.

94-384

INTERNATIONAL ENGINEERING CONSORTIUM THRESHOLD TO A GLOBAL FUTURE WEEK

Whereas, the information industry is an important element in today's world and will be a vital link to tomorrow; and Whereas, enhanced communication among leaders from industry, government, and academia are key to a better society; and Whereas, continuing education and interaction among professionals is essential to information industry progress; and Whereas, collaboration between industry and universities contributes to the development of leading-edge technology; and Whereas, the International Engineering Consortium supports the information industry through its programs and publications that further the advancement of the information industry and society; and Whereas, the International Engineering Consortium is celebrating its 50th anniversary as an information industry public service organizations; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 18, 1994, as INTERNATIONAL ENGINEERING CONSORTIUM THRESHOLD TO A GLOBAL FUTURE WEEK in Illinois.

Issued by the Governor July 21, 1994.

Filed with the Secretary of State July 22, 1994.

94-385

DISASTER AREAS--WEST POINT AND STILLWELL

Hazardous drought-like conditions have developed in western Illinois in

Hancock County where water wells have not produced sufficient potable water causing serious disruption to individuals, families and businesses in the villages of West Point and Stillwell. In the interest of aiding the local governments affected by the lack of sufficient water resources and in order to minimize the threat to public health, safety and welfare of their citizens, I hereby declare the villages of West Point and Stillwell to be State of Illinois Disaster Areas, pursuant to provisions of Section 3305/7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7 (1992 State Bar Edition). This gubernatorial declaration of disaster will aid the Illinois Emergency Management Agency in coordinating the response assistance of other State agencies to supplement the local government efforts.

Issued by the Governor July 26, 1994.

Filed with the Secretary of State July 26, 1994.

ACTION CODES	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PF - Prohibited Filing Order by JCAR*
C - Notice of Corrections	PP - Peremptory or Court Ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR* Objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR*	S - Suspension ordered by JCAR*
	W - Withdrawal to meet JCAR*
O - JCAR* Statement Of Objections	
RQ - Request for Correction	
EC - Expedited Corrections	

*Joint Committee on Administrative Rules

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-7017.

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89 Ill. Adm. Code 240	Community Care Program (P-14225/93;A-609)
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89 Ill. Adm. Code 260	Long-Term Care Insurance Partnership
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89 Ill. Adm. Code 230	Older Americans Act Program (P-5720)

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8 Ill. Adm. Code 30	Animal Control Act (P-8972)
8 Ill. Adm. Code 110	Animal Diagnostic Laboratory Act
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8 Ill. Adm. Code 25	Animal Welfare Act (P-8993)
8 Ill. Adm. Code 75	Bovine Brucellosis (P-14728/93;A-1833)
8 Ill. Adm. Code 257	Cooperative Groundwater Protection Program
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8 Ill. Adm. Code 20	Definitions (P-14793;A-1844)
8 Ill. Adm. Code 85	Diseased Animals (P-14747/93;A-1850)
8 Ill. Adm. Code 116	Equine Infectious Anemia Control
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68 Ill. Adm. Code 590	Feeder Swine Dealer Licensing
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68 Ill. Adm. Code 70	Horsemeat (P-9003)
8 Ill. Adm. Code 50	Human Slaughtering of Livestock (P-9011)
8 Ill. Adm. Code 35	Humane Care for Animals Act (P-9008)

8 Ill. Adm. Code 270	Illinois State Fair and DuQuoin State Fair, Non-Fair Space Rental and the General Operation of the State Fairgrounds (P-3164;A-9400)
8 Ill. Adm. Code 40	Livestock Auction Markets (P-14769/93;A-1869)
68 Ill. Adm. Code 610	Livestock Dealer Licensing (P-14775/93;A-1875)
8 Ill. Adm. Code 125	Meat and Poultry Inspection Act (PP-304) (PP-2164) (P-3809;A-4622) (PP-6442) (PP-8493) (A-11489) (PP-12540)
8 Ill. Adm. Code 515	Refrigerated Warehouse Act (P-9033)
8 Ill. Adm. Code 105	Swine Disease Control & Eradication Act (P-14781/93;A-1880)
8 Ill. Adm. Code 600	Weights and Measures Act (E-4426) (A-8519)

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77 Ill. Adm. Code 2090	Subacute Alcoholism and Substance Abuse Treatment Services (P-5029) (C-8731)
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ATTORNEY GENERAL

14 Ill. Adm. Code 200	Franchise Disclosure Act (PP-2522)
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AUDITOR GENERAL

2 Ill. Adm. Code 601	Freedom of Information (A-7739)
2 Ill. Adm. Code 600	Public Information, Rulemaking, Organization and Personnel (A-6404) (AR-6440)

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38 Ill. Adm. Code 380	Eligible State Bank (P-19347/93;A-4630)
38 Ill. Adm. Code 335	Unimpaired Capital & Unimpaired Surplus (E-11662)

CARNIVAL-AMUSEMENT SAFETY BOARD

56 Ill. Adm. Code 6000	Carnival and Amusement Park Inspection Law (P-6040)
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44 Ill. Adm. Code 5000	Acquisition, Management & Disposal of Real Property (P-15217/93;A-1886) (P-5057)
74 Ill. Adm. Code 900	Joint Rules Of The Comptroller & The Department Of Central Management Services: Prompt Payment (A-11498)
80 Ill. Adm. Code 302	Merit & Fitness (P-14788/93;A-1892)
80 Ill. Adm. Code 310	Pay Plan (P-13657/93;P-14314;A-227;A-1107) (P-21233/93;A-5146) (PP-9562) (P-10979) (E-11299) (P-12008)
80 Ill. Adm. Code 2650	Solicitation for Charitable Payroll Deductions (A-3115) (RC-3151)

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89 Ill. Adm. Code 336	Appeal Of Child Abuse And Neglect Investigation Findings (P-11407)		56 Ill. Adm. Code 509	Industrial Training Program (P-20063/93;RQ-6022)	
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89 Ill. Adm. Code 385	Background Checks (P-8219)		14 Ill. Adm. Code 610	Public Infrastructure Loan & Grants Programs (P-19352/93;A-8398)	
89 Ill. Adm. Code 358	Background Inquiry for Purchase of Service Providers (PR-8786)		56 Ill. Adm. Code 2600	Service Delivery System & State Responsibilities (P-805; A-9902)	
89 Ill. Adm. Code 305	Client Service Planning (P-6467)		1 Ill. Adm. Code 300	Small Business Impact Analysis Procedures (GC-9934)	
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89 Ill. Adm. Code 308	Nondiscrimination Requirements Of Department Service Providers (A-11510)		83 Ill. Adm. Code 280	Procedures for Gas, Electric, Water & Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices & Discontinuance of Service (P-918) (P-6382/93;A-6160)	
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47 Ill. Adm. Code 700 By-Laws (P-4530/93/A-5826)

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17 Ill. Adm. Code 830 Commercial Fishing and Musseling in Certain Waters of the State (E-4761) (P-5372; A-9985)
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17 Ill. Adm. Code 3010 Illinois Snowmobile Grant Program (P-5379; A-10066)

17 Ill. Adm. Code 570 Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Coyote, Beaver and Woodchuck (P-3853; A-10077)
17 Ill. Adm. Code 1070 Possession of Specimens or Products of Endangered or Threatened Species (P-1; A-5838)
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This Sections Affected Index lists, by title, each Section of a Part on which Rule Making has occurred in this volume (calendar year) of the Illinois Register. The columns indicate the type of rulemaking activity and the action taken along with the page number on which the first page of the notice of rulemaking activity appeared. If a Section on which action is being taken in the current volume of the Register is proposed in a previous volume, the last two digits of the previous volume's year appear immediately after the page number separated by a slash. (e.g. 11 III. Adm. Code 465.115 was proposed last year and adopted this year. The action entry reads: (P-15655/93; A-6520). The codes are listed below.

TYPE OF RULE MAKING

am = amend to existing Section
cc = codification changes
n = New section
r = repeal of existing Section
re = reclassified
= renumbered

ACTION CODE

A = Adopted Rule
E = Emergency
P = Proposed Rule
PP = Peremptory
M = Modification
W = Withdrawal
CC = Codification Changes
RQ = Request for Correction

PF = Prohibited Filing
S = Suspension
O = JCAR Objection
F = Failure to Remedy Objections
Objection
RC = Recommendations
EC = Expedited Correction
C = Correction

1994

TITLE 1

100.680	am	(P-7087)	220.450	am	(P-13307/93;A-4758)
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100.1260	am	(P-7087)</			

(Title 1, cont.)		TITLE 2		TITLE 8, cont.)		TITLE 9		TITLE 10		TITLE 11		TITLE 12		TITLE 13		TITLE 14		TITLE 15		TITLE 16		TITLE 17		TITLE 18		TITLE 19		TITLE 20		TITLE 21		TITLE 22		TITLE 23		TITLE 24		TITLE 25		TITLE 26		TITLE 27		TITLE 28		TITLE 29		TITLE 30		TITLE 31		TITLE 32		TITLE 33		TITLE 34		TITLE 35		TITLE 36		TITLE 37		TITLE 38		TITLE 39		TITLE 40		TITLE 41		TITLE 42		TITLE 43		TITLE 44		TITLE 45		TITLE 46		TITLE 47		TITLE 48		TITLE 49		TITLE 50		TITLE 51		TITLE 52		TITLE 53		TITLE 54		TITLE 55		TITLE 56		TITLE 57		TITLE 58		TITLE 59		TITLE 60		TITLE 61		TITLE 62		TITLE 63		TITLE 64		TITLE 65		TITLE 66		TITLE 67		TITLE 68		TITLE 69		TITLE 70		TITLE 71		TITLE 72		TITLE 73		TITLE 74		TITLE 75		TITLE 76		TITLE 77		TITLE 78		TITLE 79		TITLE 80		TITLE 81		TITLE 82		TITLE 83		TITLE 84		TITLE 85		TITLE 86		TITLE 87		TITLE 88		TITLE 89		TITLE 90		TITLE 91		TITLE 92		TITLE 93		TITLE 94		TITLE 95		TITLE 96		TITLE 97		TITLE 98		TITLE 99		TITLE 100		TITLE 101		TITLE 102		TITLE 103		TITLE 104		TITLE 105		TITLE 106		TITLE 107		TITLE 108		TITLE 109		TITLE 110		TITLE 111		TITLE 112		TITLE 113		TITLE 114		TITLE 115		TITLE 116		TITLE 117		TITLE 118		TITLE 119		TITLE 120		TITLE 121		TITLE 122		TITLE 123		TITLE 124		TITLE 125		TITLE 126		TITLE 127		TITLE 128		TITLE 129		TITLE 130		TITLE 131		TITLE 132		TITLE 133		TITLE 134		TITLE 135		TITLE 136		TITLE 137		TITLE 138		TITLE 139		TITLE 140		TITLE 141		TITLE 142		TITLE 143		TITLE 144		TITLE 145		TITLE 146		TITLE 147		TITLE 148		TITLE 149		TITLE 150		TITLE 151		TITLE 152		TITLE 153		TITLE 154		TITLE 155		TITLE 156		TITLE 157		TITLE 158		TITLE 159		TITLE 160		TITLE 161		TITLE 162		TITLE 163		TITLE 164		TITLE 165		TITLE 166		TITLE 167		TITLE 168		TITLE 169		TITLE 170		TITLE 171		TITLE 172		TITLE 173		TITLE 174		TITLE 175		TITLE 176		TITLE 177		TITLE 178		TITLE 179		TITLE 180		TITLE 181		TITLE 182		TITLE 183		TITLE 184		TITLE 185		TITLE 186		TITLE 187		TITLE 188		TITLE 189		TITLE 190		TITLE 191		TITLE 192		TITLE 193		TITLE 194		TITLE 195		TITLE 196		TITLE 197		TITLE 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505.1200	n	(P-15220/93;A-2317)	107.240	n	(P-11427)	211.3480	n	(P-9228)
505.1300	n	(P-15220/93;A-2317)	107.241	n	(P-11427)	211.3500	n	(P-8331)
505.1400	n	(P-15220/93;A-2317)	107.242	n	(P-11427)	211.3620	n	(P-8331)
505.1500	n	(P-15220/93;A-2317)	107.243	n	(P-11427)	211.3650	am	(P-9228)
505.1600	n	(P-15220/93;A-2317)	107.244	n	(P-11427)	211.3660	n	(P-9228)
505.1700	n	(P-15220/93;A-2317)	107.245	n	(P-11427)	211.3695	n	(P-10536)
505.1800	n	(P-15220/93;A-2317)	107.246	n	(P-11427)	211.3950	n	(P-12491/93;A-1253)
505.1900	n	(P-15220/93;A-2317)	107.247	n	(P-11427)	211.3970	am	(P-9228)
505.2000	n	(P-15220/93;A-2317)	107.260	n	(P-11427)	211.3990	am	(P-9228)
505.2100	n	(P-15220/93;A-2317)	107.280	n	(P-11427)	211.4050	am	(P-12491/93;A-1253)
505.2200	n	(P-15220/93;A-2317)	107.300	n	(P-11427)	211.4130	am	(P-10536)
505.2300	n	(P-15220/93;A-2317)	107.301	n	(P-11427)	211.4260	n	(P-8331)
505.2400	n	(P-15220/93;A-2317)	107.302	n	(P-11427)	211.4830	n	(P-12491/93;A-1253)
505.2500	n	(P-15220/93;A-2317)	107.320	n	(P-11427)	211.4850	n	(P-12491/93;A-1253)
505.2600	n	(P-15220/93;A-2317)	107.340	n	(P-11427)	211.4970	n	(P-12491/93;A-1253)
505.2700	n	(P-15220/93;A-2317)	107.341	n	(P-11427)	211.5060	n	(P-7589)
505.2800	n	(P-15220/93;A-2317)	107.362	n	(P-11427)	211.5340	n	(P-8331)
505.2900	n	(P-15220/93;A-2317)	107.380	n	(P-11427)	211.5390	n	(P-12491/93;A-1253)
601.2300	am	(P-10519)	107.361	n	(P-11427)	211.5530	n	(P-12491/93;A-1253)
606.10	am	(P-10524)	184.100	n	(P-4)	211.6110	n	(P-12491/93;A-1253)
606.30	am	(P-10524)	184.101	n	(P-4)	211.6170	n	(P-12491/93;A-1253)
606.90	am	(P-10524)	184.102	n	(P-4)	211.6250	n	(P-12491/93;A-1253)
			184.103	n	(P-4)	211.6365	n	(P-8331)
			184.104	n	(P-4)	211.6630	n	(P-12491/93;A-1253)
			184.105	n	(P-4)	211.6650	n	(P-12491/93;A-1253)
			184.106	n	(P-4)	211.6710	n	(P-12491/93;A-1253)
			184.201	n	(P-4)	211.6830	n	(P-12491/93;A-1253)
			184.202	n	(P-4)	211.7050	n	(P-12491/93;A-1253)
			184.203	n	(P-4)	212.113	am	(P-967;A-11587)
			184.204	n	(P-4)	212.700	n	(P-967;A-11587)
			184.205	n	(P-4)	212.701	n	(P-967;A-11587)
			184.206	n	(P-4)	212.702	n	(P-967;A-11587)
			184.207	n	(P-4)	212.703	n	(P-967;A-11587)
			184.300	n	(P-4)	212.704	n	(P-967;A-11587)
			184.301	n	(P-4)	212.705	n	(P-967;A-11587)
			184.302	n	(P-4)	218.101	am	(P-9242)
			184.400	n	(P-4)	218.106	am	(P-12491/93;A-1945)
			184.401	n	(P-4)	218.108	am	(P-9242)
			184.402	n	(P-4)	218.112	am	(P-12491/93;A-1945)
			184.403	n	(P-4)	218.114	n	(P-12491/93;A-1945)
			184.500	n	(P-4)	218.119	n	(P-10549)
			184.501	n	(P-4)	218.120	n	(P-10549)
			184.502	n	(P-4)	218.121	am	(P-10549)
			184.503	n	(P-4)	218.125	n	(P-10549)
			184.504	n	(P-4)	218.126	n	(P-10549)
			184.505	n	(P-4)	218.127	n	(P-10549)
			184.506	n	(P-4)	218.128	n	(P-10549)
			184.507	n	(P-4)	218.129	am	(P-12491/93;A-1945)
			184.508	n	(P-9347)	218.402	am	(P-12491/93;A-1945)
			184.509	am	(P-8347)	218.520	# am	(P-10549)
			201.166	#	(P-8347)	218.522	n	(P-10549)
			201.167	#	(P-8347)	218.523	n	(P-10549)
			201.168	# am	(P-8347)	218.524	n	(P-10549)
			201.207	# n	(P-8347)	218.583	am	(P-7602)
			201.208	# n	(P-8347)	218.583	am	(P-12491/93;A-1945)
			201.209	# n	(P-8347)	218.602	am	(P-12491/93;A-1945)
			201.210	# n	(P-8347)	218.611	am	(P-12491/93;A-1945)
			201.211	# n	(P-8347)	218.620	am	(P-12491/93;A-1945)
			201.212	n	(P-8347)	218.623	r	(P-12491/93;A-1945)
			201.232	am	(P-7636)	218.660	n	(P-12491/93;A-1945)
			203.209	am	(P-18754/93;A-6335)	218.666	n	(P-12491/93;A-1945)
			203.209	am	(P-8331)	218.667	am	(P-12491/93;A-1945)
			211.102	am	(P-8331)	218.668	n	(P-12491/93;A-1945)
			211.270	n	(P-12491/93;A-1253)	218.670	n	(P-12491/93;A-1945)
			211.1070	n	(P-12491/93;A-1253)	218.672	n	(P-12491/93;A-1945)
			211.1920	n	(P-8331)	218.680	n	(P-12491/93;A-1945)
			211.2030	n	(P-12491/93;A-1253)	218.686	n	(P-12491/93;A-1945)
			211.2300	n	(P-10536)	218.688	n	(P-12491/93;A-1945)
			211.2600	n	(P-12491/93;A-1253)	218.688	n	(P-12491/93;A-1945)
			211.2628	n	(P-11427)			

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[Title 35, cont.]									
739.122	am	(P-455)	811.324	n	(P-8726/93.A-1308)	814.701	n	(P-17721/93.A-12471)	n
739.123	am	(P-455)	811.325	n	(P-8726/93.A-1308)	814.702	n	(P-17721/93.A-12471)	n
739.124	am	(P-455)(C-501.7)	811.326	n	(P-8726/93.A-1308)	814.801	n	(P-17721/93.A-12471)	n
739.140	am	(P-455)	811.326	n	(P-8726/93.A-1308)	814.802	n	(P-17721/93.A-12471)	n
739.141	am	(P-455)	811.700	am	(P-8726/93.A-1308)	814.902	n	(P-17721/93.A-12471)	n
739.142	am	(P-455)(C-501.7)	811.700	am	(P-8726/93.A-1308)	814.Ap.A	n	(P-871.4/93.A-1284)	n
739.143	am	(P-455)(C-501.7)	811.701	am	(P-8726/93.A-1308)	815.202	am	(P-17649/93.A-12384)	n
739.145	am	(P-455)	811.701	am	(P-8726/93.A-1308)	815.401	am	(P-17649/93.A-12384)	n
739.146	am	(P-455)(C-501.7)	811.702	am	(P-8726/93.A-1308)	817.101	n	(P-17659/93.A-12411)	n
739.151	am	(P-455)	811.702	am	(P-8726/93.A-1308)	817.101	n	(C-21878/93)	n
739.152	am	(P-455)	811.703	am	(P-8726/93.A-1308)	817.103	n	(P-17659/93.A-12411)	n
739.154	am	(P-455)	811.703	am	(P-8726/93.A-1308)	817.103	n	(C-21878/93)	n
739.156	am	(P-455)(C-501.7)	811.704	am	(P-8726/93.A-1308)	817.104	n	(P-17659/93.A-12411)	n
739.157	am	(P-455)(C-501.7)	811.704	am	(C-4434)	817.105	n	(P-17659/93.A-12411)	n
739.158	am	(P-455)(C-501.7)	811.705	am	(P-8726/93.A-1308)	817.106	n	(C-21878/93)	n
739.160	am	(P-455)	811.705	am	(C-4434)	817.106	n	(P-17659/93.A-12411)	n
739.162	am	(P-455)(C-501.7)	811.706	am	(P-8726/93.A-1308)	817.107	n	(C-21878/93)	n
739.164	am	(P-455)	811.706	am	(C-4434)	817.107	n	(P-17659/93.A-12411)	n
739.165	am	(P-455)(C-501.7)	811.707	am	(P-8726/93.A-1308)	817.201	n	(C-21878/93)	n
739.170	am	(P-455)	811.707	am	(C-4434)	817.201	n	(P-17659/93.A-12411)	n
739.171	am	(P-455)(C-501.7)	811.708	am	(P-8726/93.A-1308)	817.202	n	(P-17659/93.A-12411)	n
739.172	am	(P-455)	811.708	am	(C-4434)	817.202	n	(C-21878/93)	n
739.173	am	(P-455)(C-501.7)	811.709	am	(P-8726/93.A-1308)	817.203	n	(P-17659/93.A-12411)	n
739.174	am	(P-455)(C-501.7)	811.709	am	(C-4434)	817.203	n	(C-21878/93)	n
807.105	am	(P-17703/93.A-12451)	811.710	am	(P-8726/93.A-1308)	817.204	n	(P-17659/93.A-12411)	n
810.101	am	(P-17703/93.A-12457)	811.711	am	(C-4434)	817.301	n	(C-21878/93)	n
		(C-21882/93)	811.711	am	(P-8726/93.A-1308)	817.301	n	(P-17659/93.A-12411)	n
810.103	am	(P-8702/93.A-1268)	811.712	am	(C-4434)	817.302	n	(C-21878/93)	n
	am	(P-17709/93.A-12481)	811.712	am	(P-8726/93.A-1308)	817.302	n	(P-17659/93.A-12411)	n
		(C-21882/93)	811.713	am	(C-4434)	817.303	n	(C-21878/93)	n
810.104	am	(P-17709/93.A-12457)	811.713	am	(P-8726/93.A-1308)	817.303	n	(P-17659/93.A-12411)	n
	am	(P-8702/93.A-1268)	811.714	am	(C-4434)	817.304	n	(C-21878/93)	n
	am	(P-17709/93.A-12457)	811.715	am	(P-8726/93.A-1308)	817.304	n	(P-17659/93.A-12411)	n
811.101	am	(P-21882/93)	811.715	am	(C-4434)	817.305	n	(C-21878/93)	n
	am	(P-8726/93.A-1308)	811.Ap.A	am	(P-8726/93.A-1308)	817.305	n	(P-17659/93.A-12411)	n
811.107	am	(P-17730/93.A-12481)	811.Ap.A	am	(P-8726/93.A-1308)	817.306	n	(P-17659/93.A-12411)	n
		(P-8726/93.A-1308)	II.A	am	(C-4434)	817.306	n	(C-21878/93)	n
811.110	am	(P-8726/93.A-1308)	II.C	am	(P-8726/93.A-1308)	817.309	n	(P-6246)	n
811.111	am	(P-8726/93.A-1308)	II.C	am	(C-4434)	817.401	n	(P-17659/93.A-12411)	n
	am	(C-4434)	II.D	am	(P-8726/93.A-1308)	817.402	n	(C-21878/93)	n
811.112	n	(P-8726/93.A-1308)	II.E	am	(C-4434)	817.402	n	(P-17659/93.A-12411)	n
		(P-8726/93.A-1308)	II.E	am	(P-8726/93.A-1308)	817.403	n	(C-21878/93)	n
811.301	am	(P-17700/93.A-12481)	811.Ap.B	am	(C-4434)	817.403	n	(P-17659/93.A-12411)	n
811.302	am	(P-17700/93.A-12481)	811.Ap.B	am	(P-8726/93.A-1308)	817.404	n	(P-17659/93.A-12411)	n
	am	(C-4434)	812.101	am	(C-4434)	817.405	n	(P-17659/93.A-12411)	n
811.303	am	(P-8726/93.A-1308)	812.101	am	(P-17644/93.A-12185)	817.405	n	(P-17659/93.A-12411)	n
	am	(C-4434)	812.301	am	(P-17644/93.A-12185)	817.405	n	(P-17659/93.A-12411)	n
811.309	am	(P-8726/93.A-1308)	813.106	am	(P-17654/93.A-12388)	817.406	n	(P-17659/93.A-12411)	n
	am	(C-4434)	814.101	am	(EC-3018)	817.406	n	(P-17659/93.A-12411)	n
811.310	am	(P-8726/93.A-1308)	814.101	am	(P-8714/93.A-1284)	817.407	n	(C-21878/93)	n
	am	(C-4434)	814.102	am	(P-8714/93.A-1284)	817.407	n	(P-17659/93.A-12411)	n
811.311	am	(P-8726/93.A-1308)	814.104	am	(P-8714/93.A-1284)	817.408	n	(P-17659/93.A-12411)	n
	am	(C-4434)	814.104	am	(P-8714/93.A-1284)	817.408	n	(C-21878/93)	n
811.314	am	(P-8726/93.A-1308)	814.107	n	(P-8714/93.A-1284)	817.409	n	(P-17659/93.A-12411)	n
	am	(C-4434)	814.107	n	(P-8714/93.A-1284)	817.409	n	(C-21878/93)	n
811.318	am	(P-8726/93.A-1308)	814.108	am	(E-9488)	817.410	n	(P-17659/93.A-12411)	n
	am	(C-4434)	814.108	am	(P-8714/93.A-1284)	817.410	n	(C-21878/93)	n
811.319	am	(P-8726/93.A-1308)	814.109	n	(P-8714/93.A-1284)	817.411	n	(P-17659/93.A-12411)	n
	am	(C-4434)	814.302	am	(P-8714/93.A-1284)	817.411	n	(C-21878/93)	n
811.320	am	(P-8726/93.A-1308)	814.402	am	(P-8714/93.A-1284)	817.412	n	(P-17659/93.A-12411)	n
	am	(C-4434)	814.501	am	(P-8714/93.A-1284)	817.412	n	(C-21878/93)	n
811.323	am	(P-8726/93.A-1308)	814.601	n	(P-17721/93.A-12471)	817.413	n	(P-17659/93.A-12411)	n
	am	(C-4434)	814.602	n	(P-17721/93.A-12471)	817.413	n	(C-21878/93)	n

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817.415	n	(P-17659/93A-12411) (C-21878/93)	831.116	n	(P-11025) (P-11033)	1075.1180	f	(P-9858) (P-9858)	
817.416	n	(P-17659/93A-12411) (C-21878/93)	832.101	n	(P-11033) (P-11033)	1075.1190	f	(P-9858) (P-9858)	
817.417	n	(P-17659/93A-12411) (C-21878/93)	832.103	n	(P-11033) (P-11033)	1075.1200	f	(P-9858) (P-9858)	
817.418	n	(P-17659/93A-12411) (C-21878/93)	832.104	n	(P-11033) (P-11033)	1075.1205	f	(P-9858) (P-9858)	
817.419	n	(P-17659/93A-12411) (C-21878/93)	832.106	n	(P-11033) (P-11033)	1075.1210	am	(P-9858) (P-9858)	
817.501	n	(P-17659/93A-12411) (C-21878/93)	832.108	n	(P-11033) (P-11033)	1075.1215	am	(P-9858) (P-9858)	
817.Ap.A	n	(P-17659/93A-12411) (C-21878/93)	832.109	n	(P-11033) (P-11033)	1075.1220	am	(P-9858) (P-9858)	
830.101	n	(P-11040) (P-11040)	832.110	n	(P-11033) (P-11033)	1075.1225	r/n	(P-9858) (P-9858)	
830.102	n	(P-11040) (P-11040)	832.111	n	(P-11033) (P-11033)	1075.1230	am	(P-9858) (P-9858)	
830.103	n	(P-11040) (P-11040)	832.201	n	(P-11033) (P-11033)	1075.1240	am	(P-9858) (P-9858)	
830.104	n	(P-11040) (P-11040)	832.202	n	(P-11033) (P-11033)	1075.1245	am	(P-9858) (P-9858)	
830.105	n	(P-11040) (P-11040)	832.301	n	(P-11033) (P-11033)	1075.1250	am	(P-9858) (P-9858)	
830.106	n	(P-11040) (P-11040)	832.302	n	(P-11033) (P-11033)	1075.1255	am	(P-9858) (P-9858)	
830.107	n	(P-11040) (P-11040)	832.303	n	(P-11033) (P-11033)	1075.1260	am	(P-9858) (P-9858)	
830.108	n	(P-11040) (P-11040)	832.304	n	(P-11033) (P-11033)	1075.1265	am	(P-9858) (P-9858)	
830.201	n	(P-11040) (P-11040)	832.305	n	(P-11033) (P-11033)	1075.1270	am	(P-9858) (P-9858)	
830.202	n	(P-11040) (P-11040)	832.306	n	(P-11033) (P-11033)	1075.1275	am	(P-9858) (P-9858)	
830.203	n	(P-11040) (P-11040)	832.307	n	(P-11033) (P-11033)	1075.1280	am	(P-9858) (P-9858)	
830.204	n	(P-11040) (P-11040)	832.308	n	(P-11033) (P-11033)	1075.1285	am	(P-9858) (P-9858)	
830.205	n	(P-11040) (P-11040)	832.309	n	(P-11033) (P-11033)	1075.1290	am	(P-9858) (P-9858)	
830.206	n	(P-11040) (P-11040)	832.310	n	(P-11033) (P-11033)	1075.1295	am	(P-9858) (P-9858)	
830.207	n	(P-11040) (P-11040)	832.311	n	(P-11033) (P-11033)	1075.1300	am	(P-9858) (P-9858)	
830.208	n	(P-11040) (P-11040)	832.312	n	(P-11033) (P-11033)	1075.1305	am	(P-9858) (P-9858)	
830.209	n	(P-11040) (P-11040)	832.313	n	(P-11033) (P-11033)	1075.1310	am	(P-9858) (P-9858)	
830.210	n	(P-11040) (P-11040)	832.211	n	(P-11033) (P-11033)	1075.1315	am	(P-9858) (P-9858)	
830.211	n	(P-11040) (P-11040)	832.212	n	(P-11033) (P-11033)	1075.1320	am	(P-9858) (P-9858)	
830.212	n	(P-11040) (P-11040)	832.213	n	(P-11033) (P-11033)	1075.1325	am	(P-9858) (P-9858)	
830.301	n	(P-11040) (P-11040)	830.501	n	(P-11040) (P-11040)	170.100	f	(P-9106) (P-9106)	
830.502	n	(P-11040) (P-11040)	830.502	n	(P-11040) (P-11040)	170.105	f	(P-9106) (P-9106)	
830.503	n	(P-11040) (P-11040)	830.503	n	(P-11040) (P-11040)	170.106	f	(P-9106) (P-9106)	
830.504	n	(P-11040) (P-11040)	830.504	n	(P-11040) (P-11040)	170.107	f	(P-9106) (P-9106)	
830.507	n	(P-11040) (P-11040)	830.507	n	(P-11040) (P-11040)	170.108	f	(P-9106) (P-9106)	
830.508	n	(P-11040) (P-11040)	830.508	n	(P-11040) (P-11040)	170.109	f	(P-9106) (P-9106)	
830.601	n	(P-11040) (P-11040)	830.601	n	(P-11040) (P-11040)	170.110	am	(P-9106) (P-9106)	
830.602	n	(P-11040) (P-11040)	830.602	n	(P-11040) (P-11040)	170.210	am	(P-9106) (P-9106)	
830.603	n	(P-11040) (P-11040)	830.603	n	(P-11040) (P-11040)	170.400	am	(P-9106) (P-9106)	
830.604	n	(P-11040) (P-11040)	830.604	n	(P-11040) (P-11040)	170.410	am	(P-9106) (P-9106)	
830.605	n	(P-11040) (P-11040)	830.605	n	(P-11040) (P-11040)	170.412	n	(P-9106) (P-9106)	
830.606	n	(P-11040) (P-11040)	830.606	n	(P-11040) (P-11040)	170.413	am	(P-9106) (P-9106)	
830.7b.A	n	(P-11040) (P-11040)	830.7b.A	n	(P-11040) (P-11040)	170.420	am	(P-9106) (P-9106)	
830.7b.C	n	(P-11040) (P-11040)	830.7b.C	n	(P-11040) (P-11040)	170.421	n	(P-9106) (P-9106)	
830.Ap.A	n	(P-11040) (P-11040)	830.Ap.A	n	(P-11040) (P-11040)	170.422	n	(P-9106) (P-9106)	
830.Ap.B	n	(P-11040) (P-11040)	830.Ap.B	n	(P-11040) (P-11040)	170.423	n	(P-9106) (P-9106)	
831.101	n	(P-11025) (P-11025)	831.101	n	(P-9858) (P-9858)	170.425	n	(P-9106) (P-9106)	
831.102	n	(P-11025) (P-11025)	831.102	n	(P-9858) (P-9858)	170.426	n	(P-9106) (P-9106)	
831.103	n	(P-11025) (P-11025)	831.103	n	(P-9858) (P-9858)	170.427	n	(P-9106) (P-9106)	
831.104	n	(P-11025) (P-11025)	831.104	n	(P-9858) (P-9858)	170.430	am	(P-9106) (P-9106)	
831.105	n	(P-11025) (P-11025)	831.105	n	(P-9858) (P-9858)	170.431	am	(P-9106) (P-9106)	
831.106	n	(P-11025) (P-11025)	831.106	n	(P-9858) (P-9858)	170.440	am	(P-9106) (P-9106)	
831.107	n	(P-11025) (P-11025)	831.107	n	(P-9858) (P-9858)	170.441	n	(P-9106) (P-9106)	
831.108	n	(P-11025) (P-11025)	831.108	n	(P-9858) (P-9858)	170.442	n	(P-9106) (P-9106)	
831.109	n	(P-11025) (P-11025)	831.109	n	(P-9858) (P-9858)	170.450	am	(P-9106) (P-9106)	
831.110	n	(P-11025) (P-11025)	831.110	n	(P-9858) (P-9858)	170.460	am	(P-9106) (P-9106)	
831.111	n	(P-11025) (P-11025)	831.111	n	(P-9858) (P-9858)	170.470	am	(P-9106) (P-9106)	
831.112	n	(P-11025) (P-11025)	831.112	n	(P-9858) (P-9858)	170.480	am	(P-9106) (P-9106)	
831.113	n	(P-11025) (P-11025)	831.113	n	(P-9858) (P-9858)	170.490	am	(P-9106) (P-9106)	

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(Title 41, cont.)	(P-9106)	200,230	r	(P-22)	260,114	am	(P-6293)	365,203	n	(P-956-A-8633)	365,1103	n	(P-956-A-8633)
	(P-9106)	170,500	am	(P-22)	260,101	am	(P-6293)	365,204	n	(E-1596)(C-10503)			(P-956-A-8633)
	(P-9106)	200,250	r	(P-22)	260,102	am	(P-6293)	365,204	n	(P-956-A-8633)	365,1104	n	(E-1596)(C-10503)
	(P-9106)	170,520	am	(P-22)	260,203	am	(P-6293)	365,301	n	(P-956-A-8633)	365,1201	n	(E-1596)(C-10503)
	(P-9106)	200,270	r	(P-22)	260,204	am	(P-6293)	365,302	n	(E-1596)(C-10503)	365,1202	n	(E-1596)(C-10503)
	(P-9106)	170,540	am	(P-22)	260,205	am	(P-6293)	365,302	n	(P-956-A-8633)	365,1202	n	(E-1596)(C-10503)
	(P-9106)	200,280	r	(P-22)	260,301	am	(P-6293)	365,303	n	(E-1596)(C-10503)	365,1203	n	(E-1596)(C-10503)
	(P-9106)	200,290	r	(P-22)	260,302	am	(P-6293)	365,303	n	(P-956-A-8633)	365,1203	n	(E-1596)(C-10503)
	(P-9106)	200,300	r	(P-22)	260,303	am	(P-6293)	365,304	n	(E-1596)(C-10503)	365,1204	n	(E-1596)(C-10503)
	(P-9106)	200,310	r	(P-22)	260,304	am	(P-6293)	365,304	n	(P-956-A-8633)	365,1204	n	(E-1596)(C-10503)
(Title 41, cont.)	(P-9106)	200,320	am	(P-22)	260,305	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	200,330	am	(P-22)	260,401	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	200,340	am	(P-22)	260,402	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,570	am	(P-22)	260,403	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,580	am	(P-22)	260,404	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,590	am	(P-22)	260,404	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,600	am	(P-22)	260,405	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,610	am	(P-22)	260,406	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,620	am	(P-22)	260,407	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,630	am	(P-22)	260,501	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
(Title 41, cont.)	(P-9106)	170,640	am	(P-22)	260,502	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,650	am	(P-22)	260,503	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,660	am	(P-22)	260,504	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,670	am	(P-22)	260,505	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,680	am	(P-22)	260,506	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,690	am	(P-22)	260,507	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,700	am	(P-22)	260,508	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,710	am	(P-22)	260,509	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,720	am	(P-22)	260,510	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,730	am	(P-22)	260,511	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
(Title 41, cont.)	(P-9106)	170,740	am	(P-22)	260,512	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,750	am	(P-22)	260,513	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,760	am	(P-22)	260,514	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,770	am	(P-22)	260,515	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,780	am	(P-22)	260,516	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,790	am	(P-22)	260,517	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,800	am	(P-22)	260,518	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,810	am	(P-22)	260,519	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,820	am	(P-22)	260,520	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,830	am	(P-22)	260,521	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
(Title 41, cont.)	(P-9106)	170,840	am	(P-22)	260,522	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,850	am	(P-22)	260,523	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,860	r	(P-22)	260,524	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,870	am	(P-22)	260,525	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,880	am	(P-22)	260,526	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,890	am	(P-22)	260,527	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,900	am	(P-22)	260,528	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,910	am	(P-22)	260,529	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,920	n	(P-22)	260,530	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,930	n	(P-22)	260,531	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
(Title 41, cont.)	(P-9106)	170,940	am	(P-22)	260,532	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,950	am	(P-22)	260,533	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,960	am	(P-22)	260,534	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,970	am	(P-22)	260,535	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,980	am	(P-22)	260,536	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,990	am	(P-22)	260,537	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,1000	am	(P-22)	260,538	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,1100	am	(P-22)	260,539	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,1200	am	(P-22)	260,540	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,1300	n	(P-22)	260,541	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
(Title 41, cont.)	(P-9106)	170,1400	am	(P-22)	260,542	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,1500	am	(P-22)	260,543	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,1600	am	(P-22)	260,544	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,1700	am	(P-22)	260,545	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,1800	am	(P-22)	260,546	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,1900	am	(P-22)	260,547	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,2000	am	(P-22)	260,548	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,2100	am	(P-22)	260,549	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,2200	am	(P-22)	260,550	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,2300	am	(P-22)	260,551	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
(Title 41, cont.)	(P-9106)	170,2400	am	(P-22)	260,552	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,2500	am	(P-22)	260,553	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,2600	am	(P-22)	260,554	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,2700	am	(P-22)	260,555	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,2800	am	(P-22)	260,556	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,2900	am	(P-22)	260,557	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,3000	am	(P-22)	260,558	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,3100	am	(P-22)	260,559	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,3200	am	(P-22)	260,560	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,3300	am	(P-22)	260,561	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
(Title 41, cont.)	(P-9106)	170,3400	am	(P-22)	260,562	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,3500	am	(P-22)	260,563	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,3600	am	(P-22)	260,564	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,3700	am	(P-22)	260,565	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,3800	am	(P-22)	260,566	am	(P-6293)	365,305	n	(E-1596)(C-10503)	365,1205	n	(E-1596)(C-10503)
	(P-9106)	170,3900	am	(P-22)	260,567	am	(P-6293)	365,305	n	(P-956-A-8633)	365,1205	n	(E-

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258,100	am	(P-8795)	240,850	am	(P-221,28/93/A-8061)	1150 Ap.A	n	(RC-10500)
258,110	am	(P-8795)	240,111	am	(P-221,28/93/A-8061)			(RC-10500)
258,120	am	(P-8795)	240,112	am	(P-221,28/93/A-8061)			
258,130	am	(P-8795)	240,113	am	(P-221,28/93/A-8061)	1175,100	am	
258,200	am	(P-8795)	240,114	am	(P-221,28/93/A-8061)	1175,1000		
258,210	am	(P-8795)	240,119	am	(P-221,28/93/A-8061)	1175,1001	am	
258,220	am	(P-8795)	240,120	am	(P-221,28/93/A-8061)	1175,1005	am	
258,230	am	(P-8795)	240,1205	am	(P-221,28/93/A-8061)	1175,1010	am	
258,240	am	(P-8795)	240,1210	am	(P-221,28/93/A-8061)	1175,1015	am	
258,250	am	(P-8795)	240,1230	am	(P-221,28/93/A-8061)	1175,1020	am	
258,260	am	(P-8795)	240,1240	am	(P-221,28/93/A-8061)	1175,1025	am	
258,270	am	(P-8795)	240,1250	am	(P-221,28/93/A-8061)	1175,1030	am	
258,280	am	(P-8795)	240,1260	am	(P-221,28/93/A-8061)	1175,1035	am	
258,300	am	(P-8795)	240,1280	am	(P-221,28/93/A-8061)	1175,1100	am	
258,310	am	(P-8795)	240,1410	am	(P-221,28/93/A-8061)	1175,1105	am	
258,320	am	(P-8795)	240,1440	am	(P-221,28/93/A-8061)	1175,1110	am	
258,330	am	(P-8795)	240,1480	am	(P-221,28/93/A-8061)	1175,1115	am	
258,340	am	(P-8795)	240,1480	am	(P-221,28/93/A-8061)	1175,1120	am	
258,350	am	(P-8795)	240,1500	am	(P-221,28/93/A-8061)	1175,1125	am	
258,360	am	(P-8795)	240,1510	am	(P-221,28/93/A-8061)	1175,1130	am	
258,370	am	(P-8795)	240,1520	am	(P-221,28/93/A-8061)	1175,1135	am	
258,380	am	(P-8795)	240,1600	am	(P-221,28/93/A-8061)	1175,1140	am	
258,390	am	(P-8795)		n	(P-11696)	1175,1145	am	
258,400	am	(P-8795)	240,1620	n	(P-221,28/93/A-8061)	1175,1150	am	
258,410	am	(P-8795)		n	(P-11696)	1175,1155	am	
258,500	am	(P-8795)	240,1630	n	(P-221,28/93/A-8061)	1175,1160	am	
258,510	am	(P-8795)	240,1700	n	(P-221,28/93/A-8061)	1175,1165	am	
258,520	am	(P-8795)	240,1705	n	(P-221,28/93/A-8061)	1175,1170	am	
258,530	am	(P-8795)	240,1710	n	(P-221,28/93/A-8061)	1175,1175	am	
258,540	am	(P-8795)	240,1720	n	(P-221,28/93/A-8061)	1175,1200	am	
			240,1720	n	(P-221,28/93/A-8061)	1175,1205	am	
			240,1730	n	(P-221,28/93/A-8061)	1175,1210	am	
			240,1740	n	(P-221,28/93/A-8061)	1175,1215	am	
			240,1800	n	(P-221,28/93/A-8061)	1200,200	am	
		(P-11696)	240,1805	n	(P-221,28/93/A-8061)	1200,300	am	
		(P-221,28/93/A-8061)	240,1810	n	(P-221,28/93/A-8061)	1200,400	am	
				n	(P-11696)	1200,705	am	
			240,1820	n	(P-221,28/93/A-8061)	1270,5	am	(P-14550/93/A-5900)
		(P-221,28/93/A-8061)	240,1830	n	(P-221,28/93/A-8061)	1270,10	am	(P-9849)
		(P-221,28/93/A-8061)	240,1835	n	(P-221,28/93/A-8061)	1270,15	am	(P-14550/93/A-5900)
		(P-221,28/93/A-8061)	240,1840	n	(P-221,28/93/A-8061)	1270,20	am	(P-9849)
		(P-221,28/93/A-8061)	240,1850	n	(P-221,28/93/A-8061)	1270,25	am	(P-14550/93/A-5900)
		(P-221,28/93/A-8061)	240,1855	n	(P-221,28/93/A-8061)	1270,30	am	(P-9849)
		(P-221,28/93/A-8061)	240,1860	n	(P-221,28/93/A-8061)	1270,35	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,1865	n	(P-221,28/93/A-8061)	1270,40	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,1870	n	(P-221,28/93/A-8061)	1270,45	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,1900	n	(P-221,28/93/A-8061)	1270,50	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,1910	n	(P-221,28/93/A-8061)	1270,55	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,1920	n	(P-221,28/93/A-8061)	1270,60	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,1930	n	(P-221,28/93/A-8061)	1270,65	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,1940	n	(P-221,28/93/A-8061)	1270,70	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,1950	n	(P-221,28/93/A-8061)	1270,75	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,1960	n	(P-221,28/93/A-8061)	1270,80	am	(EC 312)
		(P-221,28/93/A-8061)	240,1970	n	(P-221,28/93/A-8061)	1270,85	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,1980	n	(P-221,28/93/A-8061)	1270,90	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,1990	n	(P-221,28/93/A-8061)	1270,95	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2000	n	(P-221,28/93/A-8061)	1271,00	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2010	n	(P-221,28/93/A-8061)	1271,05	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2020	n	(P-221,28/93/A-8061)	1271,10	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2030	n	(P-221,28/93/A-8061)	1271,15	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2040	n	(P-221,28/93/A-8061)	1271,20	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2050	n	(P-221,28/93/A-8061)	1271,25	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2060	n	(P-221,28/93/A-8061)	1271,30	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2070	n	(P-221,28/93/A-8061)	1271,35	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2080	n	(P-221,28/93/A-8061)	1271,40	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2090	n	(P-221,28/93/A-8061)	1271,45	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2100	n	(P-221,28/93/A-8061)	1271,50	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2110	n	(P-221,28/93/A-8061)	1271,55	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2120	n	(P-221,28/93/A-8061)	1271,60	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2130	n	(P-221,28/93/A-8061)	1271,65	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2140	n	(P-221,28/93/A-8061)	1271,70	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2150	n	(P-221,28/93/A-8061)	1271,75	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2160	n	(P-221,28/93/A-8061)	1271,80	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2170	n	(P-221,28/93/A-8061)	1271,85	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2180	n	(P-221,28/93/A-8061)	1271,90	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2190	n	(P-221,28/93/A-8061)	1271,95	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2200	n	(P-221,28/93/A-8061)	1272,00	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2210	n	(P-221,28/93/A-8061)	1272,05	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2220	n	(P-221,28/93/A-8061)	1272,10	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2230	n	(P-221,28/93/A-8061)	1272,15	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2240	n	(P-221,28/93/A-8061)	1272,20	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2250	n	(P-221,28/93/A-8061)	1272,25	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2260	n	(P-221,28/93/A-8061)	1272,30	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2270	n	(P-221,28/93/A-8061)	1272,35	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2280	n	(P-221,28/93/A-8061)	1272,40	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2290	n	(P-221,28/93/A-8061)	1272,45	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2300	n	(P-221,28/93/A-8061)	1272,50	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2310	n	(P-221,28/93/A-8061)	1272,55	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2320	n	(P-221,28/93/A-8061)	1272,60	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2330	n	(P-221,28/93/A-8061)	1272,65	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2340	n	(P-221,28/93/A-8061)	1272,70	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2350	n	(P-221,28/93/A-8061)	1272,75	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2360	n	(P-221,28/93/A-8061)	1272,80	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2370	n	(P-221,28/93/A-8061)	1272,85	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2380	n	(P-221,28/93/A-8061)	1272,90	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2390	n	(P-221,28/93/A-8061)	1272,95	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2400	n	(P-221,28/93/A-8061)	1273,00	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2410	n	(P-221,28/93/A-8061)	1273,05	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2420	n	(P-221,28/93/A-8061)	1273,10	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2430	n	(P-221,28/93/A-8061)	1273,15	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2440	n	(P-221,28/93/A-8061)	1273,20	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2450	n	(P-221,28/93/A-8061)	1273,25	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2460	n	(P-221,28/93/A-8061)	1273,30	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2470	n	(P-221,28/93/A-8061)	1273,35	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2480	n	(P-221,28/93/A-8061)	1273,40	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2490	n	(P-221,28/93/A-8061)	1273,45	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2500	n	(P-221,28/93/A-8061)	1273,50	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2510	n	(P-221,28/93/A-8061)	1273,55	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2520	n	(P-221,28/93/A-8061)	1273,60	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2530	n	(P-221,28/93/A-8061)	1273,65	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2540	n	(P-221,28/93/A-8061)	1273,70	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2550	n	(P-221,28/93/A-8061)	1273,75	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2560	n	(P-221,28/93/A-8061)	1273,80	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2570	n	(P-221,28/93/A-8061)	1273,85	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2580	n	(P-221,28/93/A-8061)	1273,90	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2590	n	(P-221,28/93/A-8061)	1273,95	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2600	n	(P-221,28/93/A-8061)	1274,00	am	(P-5477/A-10752)
		(P-221,28/93/A-8061)	240,2610	n	(P-221,28/93/A-8061)	1274,05	am	(P-5477/A-10752)

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2012.70	am	(P-11279/93A-2238)	am	(P-9821)	2520.330	2732.305	am	(P-9067)
2012.80	am	(P-11279/93A-2238)	am	(P-9821)	2520.340	2760.120	am	(P-9082)
2012.90	am	(P-11279/93A-2238)	am	(P-9821)	2520.350	2760.120	am	(P-9082)
2012.95	am	(P-11279/93A-2238)	am	(P-9821)	2520.360	2760.127	n	(E-2631;0-7070;
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2012.110	am	(P-11279/93A-2238)	am	(P-9821)	2520.380	2760.140	am	(P-16319/93A-261)
2012.115	n	(P-11279/93A-2238)	am	(P-9821)	2520.410		am	(P-9082)
2012.120	am	(P-11279/93A-2238)	r	(P-9821)	2520.420	2760.150	am	(P-9082)
2012.122	n	(P-11279/93A-2238)	am	(P-9821)	2520.430	2765.44	n	(P-9094)
2012.124	n	(P-11279/93A-2238)	am	(P-9821)	2520.440	2765.45	am	(P-9094)
2012.126	am	(P-11279/93A-2238)	am	(P-9821)	2520.450	2765.68	am	(P-9094)
2012.130	am	(P-11279/93A-2238)	am	(P-9821)	2520.460		am	(P-17628/93A-250)
2012.140	n	(P-11279/93A-2238)	r	(P-9821)	2520.480	2770.100	am	(P-17628/93A-250)
2012.150	n	(P-11279/93A-2238)	am	(P-9821)	2520.470	2770.110	am	(P-17628/93A-250)
2012.154	am	(P-11279/93A-2238)	am	(P-9821)	2520.510	2865.130	am	(P-19415/93A-4154)
2013.10	am	(P-8320)	r	(P-9821)	2520.530	2915.43	n	(P-19415/93A-4154)
2013.10	am	(P-8320)	r	(P-9821)	2520.540	2915.43	n	(P-19415/93A-4154)
2013.30	am	(P-8320)	n	(P-9821)	2520.550	2915.47	n	(P-19415/93A-4154)
2013.30	am	(P-8320)	n	(P-9821)	2520.560	2920.65	am	(P-19427/93A-4166)
2013.60	am	(P-8320)	am	(P-9821)	2520.570	2920.75	am	(P-19427/93A-4166)
2013.70	am	(P-8320)	am	(P-9821)	2520.610	2920.75	am	(P-9075)
2017.10	n	(P-37)	am	(P-9821)	2520.620	2960.210	am	(P-9075)
2017.20	n	(P-37)	am	(P-9821)	2520.630	2960.220	n	(P-9075)
2017.30	n	(P-37)	am	(P-9821)	2520.640	2960.230	n	(P-9075)
2017.40	n	(P-37)	am	(P-9821)	2520.650	2960.240	n	(P-9075)
2017.50	n	(P-37)	am	(P-805A-9902)	2600.20	2960.250	n	(P-9075)
2017.60	n	(P-37)	am	(P-855A-9935)	2630.80	2965.44	am	(P-9075)
2017.70	n	(P-37)	am	(P-855A-9935)	2630.81	2965.44	am	(P-9075)
2017.80	n	(P-37)	am	(P-855A-9935)	2630.82	2965.68	am	(P-9075)
2018.10	n	(P-3919)	am	(P-855A-9935)	2630.84	6000.10	am	(P-6040)
2018.20	n	(P-3919)	am	(P-855A-9935)	2630.84	6000.10	am	(P-6040)
2018.30	n	(P-3919)	am	(P-855A-9935)	2630.85	6000.30	am	(P-6040)
2018.40	n	(P-3919)	am	(P-855A-9935)	2630.101	6000.40	am	(P-6040)
2018.50	n	(P-3919)	am	(P-855A-9935)	2630.102	6000.65	am	(P-6040)
2018.60	n	(P-3919)	am	(P-855A-9935)	2630.105	6000.70	am	(P-6040)
2018.70	n	(P-3919)	am	(P-855A-9935)	2630.142	6000.80	am	(P-6040)
2018.80	n	(P-3919)	am	(P-2008/93RC-6022)	2650.10	6000.100	am	(P-6040)
2018.90	n	(P-3919)	am	(P-2008/93RC-6022)	2650.20	6000.110	am	(P-6040)
2018.100	n	(P-3919)	am	(P-2008/93RC-6022)	2650.30	6000.120	am	(P-6040)
2018.110	n	(P-3919)	am	(P-2008/93RC-6022)	2650.40	6000.130	am	(P-6040)
2018.120	n	(P-3919)	am	(P-2008/93RC-6022)	2650.50	6000.140	am	(P-6040)
2018.130	n	(P-3919)	am	(P-2008/93RC-6022)	2650.110	6000.150	am	(P-6040)
2018.140	n	(P-3919)	am	(P-2008/93RC-6022)	2650.120	6000.160	am	(P-6040)
2018.150	n	(P-3919)	am	(P-2008/93RC-6022)	2650.130	6000.170	am	(P-6040)
2018.160	n	(P-3919)	am	(P-2008/93RC-6022)	2650.140	6000.190	am	(P-6040)
2018.170	n	(P-3919)	am	(P-2008/93RC-6022)	2650.150	6000.220	am	(P-6040)
2018.180	n	(P-3919)	am	(P-2008/93RC-6022)	2650.210	6000.250	am	(P-6040)
2018.190	n	(P-3919)	am	(P-2008/93RC-6022)	2650.220	6000.270	am	(P-6040)
2018.200	n	(P-3919)	am	(P-2008/93RC-6022)	2650.230	6000.280	am	(P-6040)
2018.210	n	(P-3919)	am	(P-2008/93RC-6022)	2650.240	6000.280	am	(P-6040)
2018.220	n	(P-3919)	am	(P-2008/93RC-6022)	2650.250	6000.280	am	(P-6040)
2018.230	n	(P-3919)	am	(P-2008/93RC-6022)	2650.310	6000.280	am	(P-6040)
2018.240	n	(P-3919)	am	(P-2008/93RC-6022)	2650.320	6000.300	am	(P-6040)
2018.250	n	(P-3919)	am	(P-2008/93RC-6022)	2650.330	6000.310	am	(P-6040)
2018.260	n	(P-3919)	am	(P-2008/93RC-6022)	2650.340	6000.320	am	(P-6040)
2018.270	am	(P-3964)	r	(P-2008/93RC-6022)	2650.340	6000.330	am	(P-6040)
2018.280	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.290	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.300	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.310	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.320	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.330	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.340	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.350	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.360	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.370	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.380	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.390	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.400	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.410	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.420	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.430	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.440	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.450	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.460	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.470	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.480	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.490	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.500	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.510	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.520	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.530	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.540	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.550	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.560	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.570	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.580	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.590	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.600	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.610	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.620	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.630	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.640	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.650	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.660	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.670	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.680	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.690	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.700	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.710	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.720	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.730	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.740	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.750	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.760	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.770	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.780	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.790	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.800	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.810	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.820	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.830	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.840	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.850	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.860	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.870	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.880	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.890	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.900	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
2018.910	am	(P-3964)	r	(P-2008/93RC-6022)	2650.350	6000.340	am	(P-6040)
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(Title 68, cont.)	1500.5	am	(P-5758(A-11212)	100.14	r,n	(P-12153/93(A-5980)	340.1700	n	(E-10391)	r	(P-103)
	1500.11	am	(P-5758(A-11212)	100.15	r,n	(P-12153/93(A-5980)	340.1710	n	(E-10391)	r	(P-103)
	1500.11	am	(P-5758(A-11212)	100.16	r,n	(P-12153/93(A-5980)	340.1720	n	(E-10391)	r	(P-103)
	1500.11	am	(P-5758(A-11212)	100.17	r,n	(P-12153/93(A-5980)	340.1730	n	(E-10391)	r	(P-103)
	1500.25	am	(P-5758(A-11212)	100.18	am	(P-12153/93(A-5980)	340.1800	n	(E-10391)	r	(P-103)
	1500.25	am	(P-5758(A-11212)	100.19	am	(P-12153/93(A-5980)	340.1810	n	(E-10391)	r	(P-103)
	1500.35	am	(P-5758(A-11212)	205.115	am	(P-6853)	330.120	am	(E-10391)	r	(P-103)
	1500.35	am	(P-5758(A-11212)	205.118	am	(P-6853)	330.140	am	(E-10391)	r	(P-103)
	1500.55	am	(P-5758(A-11212)	205.120	am	(P-6853)	330.150	am	(E-10391)	r	(P-103)
	1500.55	am	(P-5758(A-11212)	205.125	am	(P-6853)	330.160	am	(E-10391)	r	(P-103)
	1500.80	am	(P-5758(A-11212)	205.130	am	(P-6853)	340.1840	n	(E-10391)	r	(P-103)
	1500.80	am	(P-5758(A-11212)	205.140	am	(P-6853)	340.1900	n	(E-10391)	r	(P-103)
	1505.10	am	(P-5737(A-11180)	205.350	am	(P-6853)	340.1930	n	(E-10391)	r	(P-103)
	1505.10	am	(P-5737(A-11180)	205.620	am	(P-6853)	340.1940	n	(E-10391)	r	(P-103)
	1505.40	am	(P-5737(A-11180)	205.620	am	(P-6853)	340.1950	n	(E-10391)	r	(P-103)
	1505.40	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.1960	n	(E-10391)	r	(P-103)
	1505.40	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2000	n	(E-10391)	r	(P-103)
	1505.55	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2010	n	(E-10391)	r	(P-103)
	1505.55	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2020	n	(E-10391)	r	(P-103)
	1505.60	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2030	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2040	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2050	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2060	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2070	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2080	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2090	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2100	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2110	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2120	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2130	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2140	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2150	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2160	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2170	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2180	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2190	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2200	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2210	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2220	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2230	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2240	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2250	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2260	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2270	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2280	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2290	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2300	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2310	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2320	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2330	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2340	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2350	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2360	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2370	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2380	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2390	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2400	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2410	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2420	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2430	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2440	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2450	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2460	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2470	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2480	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2490	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2500	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2510	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2520	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2530	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2540	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2550	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2560	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2570	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2580	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2590	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2600	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2610	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2620	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2630	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2640	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2650	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2660	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2670	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2680	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2690	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2700	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2710	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2720	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2730	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2740	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2750	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2760	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2770	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2780	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2790	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2800	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2810	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2820	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2830	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2840	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2850	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2860	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.140	am	(P-6853)	340.2870	n	(E-10391)	r	(P-103)
	1505.70	am	(P-5737(A-11180)	205.1							

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120.30	am	(P-18436/93;A-3620)					
120.318	am	(P-22321/93;A-8718)					
120.324	r,n	(P-13392/93;A-2051)					
120.325	r,n	(P-21266/93;A-5934)					
120.326	r,n	(P-21266/93;A-5934)					
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121.63	am	(P-6251)					
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140.12	am	(P-18436/93;A-3620)					
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140.27	am	(P-5951)					
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140.462	am	(P-18436/93;A-3620)					
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314.40	n	(P-17593/93;A-8366)					
314.50	n	(P-17593/93;A-8366)					
314.60	n	(P-17593/93;A-8366)					
314.70	n	(P-17593/93;A-8366)					
314.80	n	(P-17593/93;A-8366)					
314.90	n	(P-17593/93;A-8366)					
314.100	n	(P-17593/93;A-8366)					
325.10	n	(P-8765)					
325.20	n	(P-8765)					
325.30	n	(P-8765)					
325.40	n	(P-8765)					
325.50	n	(P-8765)					
325.60	n	(P-8765)					
325.70	n	(P-8765)					
325.80	n	(P-8765)					
325.90	n	(P-8765)					
326.00	n	(P-8765)					
326.10	n	(P-8765)					
326.20	n	(P-8765)					
326.30	n	(P-8765)					
326.40	n	(P-8765)					
326.50	n	(P-8765)					
326.60	n	(P-8765)					
326.70	n	(P-8765)					
326.80	n	(P-8765)					
326.90	n	(P-8765)					
327.00	n	(P-8765)					
327.10	n	(P-11767/93;A-5540)					
327.20	n	(P-11767/93;A-5540)					
327.30	n	(P-11767/93;A-5540)					
327.40	n	(P-11767/93;A-5540)					
327.50	n	(P-11767/93;A-5540)					
327.60	n	(P-11767/93;A-5540)					
327.70	n	(P-11767/93;A-5540)					
327.80	n	(P-11767/93;A-5540)					
327.90	n	(P-11767/93;A-5540)					
328.00	n	(P-11767/93;A-5540)					
328.10	n	(P-11767/93;A-5540)					
328.20	n	(P-11767/93;A-5540)					
328.30	n	(P-11767/93;A-5540)					
328.40	n	(P-11767/93;A-5540)					
328.50	n	(P-11767/93;A-5540)					
328.60	n	(P-11767/93;A-5540)					
328.70	n	(P-11767/93;A-5540)					
328.80	n	(P-11767/93;A-5540)					
328.90	n	(P-11767/93;A-5540)					
329.00	n	(P-11767/93;A-5540)					
329.10	n	(P-11767/93;A-5540)					
329.20	n	(P-11767/93;A-5540)					
329.30	n	(P-11767/93;A-5540)					
329.40	n	(P-11767/93;A-5540)					
329.50	n	(P-11767/93;A-5540)					
329.60	n	(P-11767/93;A-5540)					
329.70	n	(P-11767/93;A-5540)					
329.80	n	(P-11767/93;A-5540)					
329.90	n	(P-11767/93;A-5540)					
330.00	n	(P-11767/93;A-5540)					
330.10	n	(P-11767/93;A-5540)					
330.20	n	(P-11767/93;A-5540)					
330.30	n	(P-11767/93;A-5540)					
330.40	n	(P-11767/93;A-5540)					
330.50	n	(P-11767/93;A-5540)					
330.60	n	(P-11767/93;A-5540)					
330.70	n	(P-11767/93;A-5540)					
330.80	n	(P-11767/93;A-5540)					
330.90	n	(P-11767/93;A-5540)					
331.00	n	(P-11767/93;A-5540)					
331.10	n	(P-11767/93;A-5540)					
331.20	n	(P-11767/93;A-5540)					
331.30	n	(P-11767/93;A-5540)					
331.40	n	(P-11767/93;A-5540)					
331.50	n	(P-11767/93;A-5540)					
331.60	n	(P-11767/93;A-5540)					
331.70	n	(P-11767/93;A-5540)					
331.80	n	(P-11767/93;A-5540)					
331.90	n	(P-11767/93;A-5540)					
332.00	n	(P-11767/93;A-5540)					
332.10	n	(P-11767/93;A-5540)					
332.20	n	(P-11767/93;A-5540)					
332.30	n	(P-11767/93;A-5540)					
332.40	n	(P-11767/93;A-5540)					
332.50	n	(P-11767/93;A-5540)					
332.60	n	(P-11767/93;A-5540)					
332.70	n	(P-11767/93;A-5540)					
332.80	n	(P-11767/93;A-5540)					
332.90	n	(P-11767/93;A-5540)					
333.00	n	(P-11767/93;A-5540)					
333.10	n	(P-11767/93;A-5540)					
333.20	n	(P-11767/93;A-5540)					
333.30	n	(P-11767/93;A-5540)					
333.40	n	(P-11767/93;A-5540)					
333.50	n	(P-11767/93;A-5540)					
333.60	n	(P-11767/93;A-5540)					
333.70	n	(P-11767/93;A-5540)					
333.80	n	(P-11767/93;A-5540)					
333.90	n	(P-11767/93;A-5540)					
334.00	n	(P-11767/93;A-5540)					
334.10	n	(P-11767/93;A-5540)					
334.20	n	(P-11767/93;A-5540)					
334.30	n	(P-11767/93;A-5540)					
334.40	n	(P-11767/93;A-5540)					
334.50	n	(P-11767/93;A-5540)					
334.60	n	(P-11767/93;A-5540)					
334.70	n	(P-11767/93;A-5540)					
334.80	n	(P-11767/93;A-5540)					
334.90	n	(P-11767/93;A-5540)					
335.00	n	(P-11767/93;A-5540)					
335.10	n	(P-11767/93;A-5540)					
335.20	n	(P-11767/93;A-5540)					
335.30	n	(P-11767/93;A-5540)					
335.40	n	(P-11767/93;A-5540)					
335.50	n	(P-11767/93;A-5540)					
335.60	n	(P-11767/93;A-5540)					
335.70	n	(P-11767/93;A-5540)					
335.80	n	(P-11767/93;A-5540)					
335.90	n	(P-11767/93;A-5540)					
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336.10	n	(P-11767/93;A-5540)					
336.20	n	(P-11767/93;A-5540)					
336.30	n	(P-11767/93;A-5540)					
336.40	n	(P-11767/93;A-5540)					
336.50	n	(P-11767/93;A-5540)					
336.60	n	(P-11767/93;A-5540)					
336.70	n	(P-11767/93;A-5540)					
336.80	n	(P-11767/93;A-5540)					
336.90	n	(P-11767/93;A-5540)					
337.00	n	(P-11767/93;A-5540)					
337.10	n	(P-11767/93;A-5540)					
337.20	n	(P-11767/93;A-5540)					
337.30	n	(P-11767/93;A-5540)					
337.40	n	(P-11767/93;A-5540)					
337.50	n	(P-11767/93;A-5540)					
337.60	n	(P-11767/93;A-5540)					
337.70	n	(P-11767/93;A-5540)					
337.80	n	(P-11767/93;A-5540)					
337.90	n	(P-11767/93;A-5540)					
338.00	n	(P-11767/93;A-5540)					
338.10	n	(P-11767/93;A-5540)					
338.20	n	(P-11767/93;A-5540)					
338.30	n	(P-11767/93;A-5540)					
338.40	n	(P-11767/93;A-5540)					
338.50	n	(P-11767/93;A-5540)					
338.60	n	(P-11767/93;A-5540)					
338.70	n	(P-11767/93;A-5540)					
338.80	n	(P-11767/93;A-5540)					
338.90	n	(P-11767/93;A-5540)					
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339.10	n	(P-11767/93;A-5540)					
339.20	n	(P-11767/93;A-5540)					
339.30	n	(P-11767/93;A-5540)					
339.40	n	(P-11767/93;A-5540)					
339.50	n	(P-11767/93;A-5540)					
339.60	n	(P-11767/93;A-5540)					
339.70	n	(P-11767/93;A-5540)					
339.80	n	(P-11767/93;A-5540)					
339.90	n	(P-11767/93;A-5540)					
340.00	n	(P-11767/93;A-5540)					
340.10	n	(P-11767/93;A-5540)					
340.20	n	(P-11767/93;A-5540)					
340.30	n	(P-11767/93;A-5540)					
340.40	n	(P-11767/93;A-5540)					
340.50	n	(P-11767/93;A-5540)					
340.60	n	(P-11767/93;A-5540)					
340.70	n	(P-11767/93;A-5540)					
340.80	n	(P-11767/93;A-5540)					
340.90	n	(P-11767/93;A-5540)					
341.00	n	(P-11767/93;A-5540)					
341.10	n	(P-11767/93;A-5540)					
341.20	n	(P-11767/93;A-5540)					
341.30	n	(P-11767/93;A-5540)					
341.40	n	(P-11767/93;A-5540)					
341.50	n	(P-11767/93;A-5540)					
341.60	n	(P-11767/93;A-5540)					
341.70	n	(P-11767/93;A-5540)					
341.80	n	(P-11767/93;A-5540)					
341.90	n	(P-11767/93;A-5540)					
342.00	n	(P-11767/93;A-5540)					
342.10	n	(P-11767/93;A-5540)					
342.20	n	(P-11767/93;A-5540)					
342.30	n	(P-11767/93;A-5540)					
342.40	n	(P-11767/93;A-5540)					
342.50	n	(P-11767/93;A-5540)					
342.60	n	(P-11767/93;A-5540)					
342.70	n	(P-11767/93;A-5540)					
342.80	n	(P-11767/93;A-5540)					
342.90	n	(P-11767/93;A-5540)					
343.00	n	(P-11767/93;A-5540)					
343.10	n	(P-11767/93;A-5540)					
343.20	n	(P-11767/93;A-5540)					
343.30	n	(P-11767/93;A-5540)					
343.40	n	(P-11767/93;A-5540)					
343.50	n	(P-11767/93;A-5540)					
343.60	n	(P-11767/93;A-5540)					
343.70	n	(P-11767/93;A-5540)					
343.80	n	(P-11767/93;A-5540)					
343.90	n	(P-11767/93;A-5540)					
344.00	n	(P-11767/93;A-5540)					
344.10	n	(P-11767/93;A-5540)					
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<input type="text"/> (1994 Code & 2 Supplements)	<input type="text"/> (Quantity)	<input type="text"/> (1995 Supplements)	<input type="text"/> (Quantity)
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TOTAL AMOUNT OF ORDER: \$

☐ Check ☐ Visa ☐ Discover Card Number:

Expiration Date: Signature

(IF CHANGE OF ADDRESS, PLEASE LIST THE OLD AND NEW ADDRESS:

(NAME) (PLEASE TYPE OR PRINT)

(ADDRESS)

(CITY)

(STATE)

(ZIP CODE)

(TELEPHONE NUMBER)

GEORGE H. RYAN
SECRETARY OF STATE

Address:
Index Department
111 E. Monroe
Springfield, IL 62756

